

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.



AGENDA
OXNARD CITY COUNCIL
PUBLIC WORKS AND TRANSPORTATION COMMITTEE
Council Chambers, 305 West Third Street
September 27, 2022
Regular Meeting - 8:30 to 10:00 PM

Zoom details to call-in for public comment during a meeting:

- 1. Dial Phone Number: (888) 475-4499**
- 2. Enter Meeting ID: 818 4131 8433**
- 3. Passcode: 779982**

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom calling in steps listed above. Once the Mayor calls for public speakers, press *9 to raise your hand to inform the City Clerk you would like to speak during the public speaking section for that particular item on the agenda, while in the zoom waiting room.

IN ACCORDANCE WITH ASSEMBLY BILL 361 AND IN RESPONSE TO THE DECLARED STATE AND LOCAL EMERGENCIES DUE TO THE NOVEL CORONAVIRUS, THE LEGISLATIVE BODY WILL MEET IN-PERSON AND REMOTELY. TO PARTICIPATE REMOTELY VISIT WWW.OXNARD.ORG.

To find out how you may provide public comment, please refer to the instructions below or at [www.https://www.oxnard.org/city-meetings/](https://www.oxnard.org/city-meetings/).

The public may view the meeting from home on Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings of the meeting are typically available online following the meeting at the City's website at www.oxnard.org/city-meetings.

*Please see the link for the Measure M pre-recorded presentation video for each item listed on this agenda.

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. ATTEND THE MEETING AT THE LOCATION LISTED ABOVE: Submit a speaker card to the City Clerk.
2. EMAIL COMMENTS OR SIGN UP TO SPEAK REMOTELY BEFORE THE MEETING
 - a. Submit a request to speak remotely by no later than 3 p.m. on the day of the meeting by using the form available at www.oxnard.org/citymeetings.
 - b. Submit an email to cityclerk@oxnard.org no later than 3 p.m. on the day of the meeting (indicate the agenda item number in the subject line). All email correspondence will be forwarded to the legislative body prior to the start of the meeting and made part of the legislative record.
 - c. Contact the City Clerk's Office at (805) 385-7803 to submit your request.
3. PROVIDING PUBLIC COMMENTS REMOTELY DURING THE MEETING

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)

- a. To provide public comment during the meeting dial (888) 475-4499 and enter the Meeting ID and Passcode listed above as the Zoom details for this meeting. When the presiding officer announces the particular item on the agenda you want to speak on, **press *9 to raise your hand** while in the zoom waiting room. Once called on, **press *6 to unmute** your phone.
- b. Public comments on agenda items will be taken following the announcement of the item. After the item is announced, members of the public may register or otherwise be recognized for the purpose of providing public comment.

Please review the Zoom instructions on the registration page to help ensure there are no technical difficulties during your comments and help you understand public comment procedures using Zoom. Detailed participation instructions can be found at www.oxnard.org/city-meetings.

In the event of a disruption which prevents a legislative body of the City of Oxnard from broadcasting a meeting using a call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comment using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on a meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. However, if any of the broadcast options are disrupted, but any of the other broadcast options is still available to the public, the legislative body may take further action on items appearing on a meeting agenda without waiting for the disrupted broadcast option(s) to be restored.

* The City has filed pre-election and post-election lawsuits regarding the validity of Measure M.

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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. After 30 minutes, if all speakers have not 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

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Works & Transportation Committee approve the minutes of the September 13, 2022 regular meeting as presented.

Contact: Rose Chaparro, (805) 385-7805

D. REPORTS

1. Public Works Department

SUBJECT: Agreement A-8493 with BPR, Inc. for On-Call Sidewalk, Curb and Gutter, and Spandrel Grinding Services Project, Specification No. PW 22-130. (0/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council approve and authorize Agreement A-8493 with BPR, Inc. for a total amount not to exceed \$800,000 for a three year term for the On-call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (Project No. MO3102).

Please click the following link to view the required Measure M pre-recorded presentation video:

https://youtu.be/UWXd6t_00Ts

Contact: Michael Wolfe, (805) 385-8055

2. Public Works Department

SUBJECT: Consideration of Naming a Sports Field at Durley Park the “Helen Lopez Field”. (0/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council:

1. Review and consider the request from the Sunset Little League, along with the recommendation from the Parks, Recreation, and Community Services Commission, to name a sports field at Durley Park the “Helen Lopez Field”; and
2. Direct staff to install appropriate signage to effectuate the naming, should it be approved, taking into consideration upcoming park improvements.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/wnRZkPu3AUc>

Contact: Michael Wolfe, (805) 385-8055

3. Public Works Department

SUBJECT: Amend Department-Wide Blanket Purchase Orders for a Not to Exceed (NTE) Amount Greater than \$200,000 Each. (0/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommended that the City Council approve and authorize the Purchasing Agent to amend the following:

1. Purchase Order #8797 with Consolidated Electrical Distributors for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023;
2. Purchase Order #8831 with Napa dba Ventura County Auto Supply for an additional \$200,000 for a new not to exceed amount of \$400,000 through June 30, 2023;
3. Purchase Order #8841 with Ferguson Enterprise, LLC for an additional \$150,000 for a new not to exceed amount of \$350,000 through June 30, 2023;
4. Purchase Order #8842 with Famcon Pipe & Supply Inc. for an additional \$400,000 for a new not to exceed amount of \$600,000 through June 30, 2023; and
5. Purchase Order #8859 with O'Reilly Auto Parts for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/mWFe_WF83ac

Contact: Michael Wolfe, (805) 385-8055

4. Community Development Department

SUBJECT: Climate Action and Adaptation Plan and an Addendum to the 2030 General Plan Program Environmental Impact Report (PEIR; SCH # 2007041024). (15/10/10)

RECOMMENDATION: That the Public Works & Transportation Committee:

1. Receive a presentation on the City's Draft Climate Action and Adaptation Plan (CAAP);
2. Receive public comments on the Draft CAAP document;
3. Provide recommendations on Planning Commission and Staffs recommended edits ; and
4. Provide feedback on the Draft CAAP document.

(Live presentation by Jeff Caton and Shannon Wages, Environmental Science Associates.)
Contact: Ashley Golden, (805) 385-7478

5. Public Works Department

SUBJECT: Memorandum of Understanding and Caltrans Cooperative Agreements for the Village Specific Plan (Wagon Wheel) Berm/Flood Protection and U.S.101 Ventura Road Off-Ramp Projects. (0/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council approve and authorize the following:

1. The Mayor to execute a Memorandum of Understanding with Oxnard CRFL Partners, LLC, for Caltrans Right of Way Improvements (Agreement No. A-8497);
2. The Mayor to execute Caltrans Cooperative Agreement 07-5237 for Berm Construction (Agreement No. A-8348); and
3. Adopt a Resolution Authorizing the Mayor to Execute forthcoming Caltrans Cooperative Agreement 07-5238 for U.S. 101 Exit 63A Off-Ramp Construction (Agreement No. A-8349).

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/h52P27EjBaQ>

Contact: Michael Wolfe, (805) 385-8055

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT



**PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT**

**CONSENT AGENDA
AGENDA ITEM NO. C.1**

DATE: September 27, 2022

TO: Public Works and Transportation Committee

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

SUBJECT: Approval of Minutes.

RECOMMENDATION

That the Public Works & Transportation Committee approve the minutes of the September 13, 2022 regular meeting as presented.

BACKGROUND

Approval of Minutes.

STRATEGIC PRIORITIES

This agenda item is a routine operational item.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Rose Chaparro, City Clerk

ATTACHMENTS

1. MINUTES 09 13 2022 Public Works & Transportation

MINUTES
OXNARD CITY COUNCIL
PUBLIC WORKS & TRANSPORTATION COMMITTEE
Regular Meeting
September 13, 2022

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 8:31 p.m., Chair Bert E. Perello called to order the regular meeting of the Oxnard City Council Public Works & Transportation Committee in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The Assistant City Clerk called the roll and announced the posting of the agenda. Member Vianey Lopez, Member John C. Zaragoza, and Chair Bert E. Perello were present in person.

Staff members Alexander Nguyen, City Manager; Michelle (Elle) McCarron, Assistant City Attorney; Michael Wolfe, Public Works Director; Joseph Marcinko, Assistant Public Works Director; Jan Hauser, Wastewater Division Manager; Omar Castro, Water Division Manager; Abraham Maldonado, Water Resources Manager; Megan Schneider, Water Conservation Outreach Coordinator; and Dee Lai, Assistant City Clerk were present in person.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received by Ray Blattel (River Ridge Golf Club - Public Records Request for financial data).

C. CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Works & Transportation Committee approve the minutes of the July 26, 2022 regular meeting as presented.

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

D. REPORTS

1. Public Works Department

SUBJECT: Agreement A-8495 with Toro Enterprises, Inc. for the Water and Wastewater On-Call Construction and Repair Services Project, Specification No. PW 22-125. (0/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council approve and authorize the Mayor to execute Agreement A-8495 with Toro Enterprises, Inc. in the amount not to exceed \$10,300,000 for a 5-year term ending October 17, 2027, for the Water and Wastewater On-Call Construction And Repair Services Project, Specification No. PW 22-125.

Jan Hauser, Wastewater Division Manager presented and answered the Committee's questions. No public comments were received. Discussion ensued among the Committee and staff.

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

2. Public Works Department

SUBJECT: Update on Drought Response Actions and Current Drought Conditions. (0/10/10)

RECOMMENDATION: That the Public Works and Transportation Committee receives and files the Water Conservation Update Report.

Michael Wolfe, Public Works Director presented and answered the Committee's questions. No public comments were received. Discussion ensued among the Committee and staff.

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

E. ITEMS FOR FUTURE AGENDAS

Chair Perello commented on the following topics for future agendas:

1. Flooding in parts of the nation and updates on the activities for the SCR-1 and SCR-3 levies.
2. The algae bloom in the Pacific Ocean making its way to the coast.
3. Public restrooms.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Perello adjourned the meeting at 9:14 p.m.

ROSE CHAPARRO

City Clerk

BERT E. PERELLO

Chair



**PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT**

**REPORTS
AGENDA ITEM NO. D.1**

DATE: September 27, 2022

TO: Public Works and Transportation Committee

FROM: Michael Wolfe, Public Works Director, (805) 385-8055, michael.wolfe@oxnard.org

SUBJECT: Agreement A-8493 with BPR, Inc. for On-Call Sidewalk, Curb and Gutter, and Spandrel Grinding Services Project, Specification No. PW 22-130. (0/5/5)

RECOMMENDATION

That the Public Works and Transportation Committee recommend that the City Council approve and authorize Agreement A-8493 with BPR, Inc. for a total amount not to exceed \$800,000 for a three year term for the On-call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (Project No. MO3102).

Please click the following link to view the required Measure M pre-recorded presentation video:
https://youtu.be/UWXd6t_00Ts

BACKGROUND

The City of Oxnard has approximately 650 miles of sidewalks and 644 miles of curbs and gutters. The purpose of the grinding program is to systematically identify and mitigate any vertical sidewalk & gutter displacements (lifts). Lifts can be caused by some common factors such as age, poor or deteriorated subgrade material, deferred maintenance, and tree or vegetation roots. Sidewalk repairs are made City-wide and are prioritized depending on the severity of the issues.

Sidewalk grinding is the most common and cost effective method to mitigate lifted sidewalks. Grinding is less expensive than removal and replacement of concrete and can extend the life of sidewalks that otherwise might be prematurely replaced. Typically, grinding can resolve vertical lifts between a ¼ inch to 2 inches, and approximately 80 percent of all the City's sidewalk lifts fall within that range. Lifts exceeding 2 inches are usually resolved by replacing the sidewalk panels or ramping along with addressing the cause of the lift, such as tree roots. Ramping is also used as a temporary fix until staffing or funds become available.

The Project scope consists of furnishing all necessary labor, materials, equipment and other incidental and appurtenant work to provide on-call sidewalk, curb and gutter, and spandrel grinding services. The Agreement amount will not exceed \$800,000, with an allocation of \$500,000 for Streets and \$300,000 for Special Districts during the three-year term.

DISCUSSION

Streets Division & Special Districts have utilized contractor BPR, Inc. (BPR) to complete a total of 34,709 displacement grinds from 2020 to 2022, covering neighborhoods and various Special Districts. BPR supplies

all the necessary equipment, materials, labor, and services to sidewalk, curb and gutter, and spandrel grinding assisting the Streets Division with the current and backlog of 311s for lifts. The three-year on-call agreement for concrete grinding services will be requested through Public Works task orders. Contractor will supply monthly reports identifying completed grind locations and where additional work is needed.

The notice inviting formal bids (NIFB) on the Project was published on June 30, 2022, and all bids were due and opened on August 4, 2022. BPR was the only bidder and their bid is responsive to the City's NIFB.

ITEM NO.	UNIT	DESCRIPTION	EVALUATION QUANTITY	CONTRACT UNIT PRICE
1.	Per location as defined in the Special Provisions	Sidewalk Grinding	1 Location	\$28.75
2.	Per Linear Foot	Curb and Gutter Grinding	1 LF	\$5.00
3.	Per Linear Foot	Spandrel Grinding	1 LF	\$4.75
TOTAL BID PRICE:				\$38.50

BPR was the only vendor to respond to the City's Request for Proposal for on-call sidewalk, curb and gutter and spandrel grinding services when released on August 15, 2019. It was rebid on September 5, 2019 in an effort to obtain more bids, which resulted with two bidders and BPR being the lowest bidder.

Nine notices of invitations were sent directly to contractors that can perform this type of work and that have the appropriate licenses for this NIFB. The NIFB was also posted on EBID Board, Public Purchase, Dodge Analytic, TriCo Reprographics and Bid America to name a few and advertised in the Vida Newspaper.

Following this determination, procurement staff reviewed all documentation received from BPR Inc. and its subcontractors. Procurement staff verified possession of required currently valid licenses, reviewed the Federal Occupational Safety and Health Administration (OSHA) website for safety violations, and verified registration with the California Department of Industrial Relations (DIR). Based upon the available information and research performed to date, staff believes that the contractor is capable of satisfactorily completing the project.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

FINANCIAL IMPACT

The total cost for this agreement with BPR shall not exceed \$800,000 with an allocation of \$500,000 for the Streets Division and \$300,000 for the Special Districts Division during the three-year term. This agreement will be used as needed, based on a task order process and funding availability for each fiscal year.

The estimated spending plan for FY 2022-23 from the Streets Division is \$120,000 and there are sufficient funds through the Measure O-Half Cent Sales Tax Fund (104-5704-803-8209), Project MO3102 for these

services.

The estimated spending plan for FY 2022-23 from the Special Districts Division is \$50,000 and there are sufficient funds through special assessments and taxes of the communities that receive these services.

Funding for subsequent fiscal years will be requested during the annual budget process.

Prepared by: Brian Yanez, Assistant Public Works Director

ATTACHMENTS

1. A-8493
2. Presentation

**CITY OF OXNARD CONTRACT FOR
ON-CALL SIDEWALK, CURB AND GUTTER
AND SPANDREL GRINDING SERVICES PROJECT
SPECIFICATION NO. PW 22-130**

THIS CONTRACT ("Contract") is made and entered this _____ day of _____, 20____ ("Effective Date"), by and between the CITY OF OXNARD, a California municipal corporation ("City") and BPR Inc. ("Contractor"). Contractor's license number is 944272.

In consideration of the covenants set forth herein, the parties hereto agree as follows:

1. Incorporation. The Contract consists of all Contract Documents, which shall include the General Provisions, Special Provisions and all documents referenced in either the General or Special Provisions as well as the Contractor's Bid Response. These documents are incorporated herein by reference.

2. Scope of Services. Contractor shall perform all Tasks in a good and workmanlike manner for the project identified as the On-Call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 ("Project"), as described in this Contract and in the Contract Documents, throughout the Contract Term. The Bid Sheets from the Contractor's Bid Response are attached hereto as "Exhibit A" and incorporated herein by this reference. The Special Provisions from the Contract Documents are attached hereto as "Exhibit B" and incorporated herein by this reference.

3. Compensation. In consideration of the services rendered pursuant to the requirements listed in the Contract Documents, City shall pay Contractor for each Task in accordance with the Contract Unit Prices submitted in the Bid and included in the attached Exhibit A, which in any case shall not exceed five hundred thousand dollars (\$500,000 for Public Works and three hundred thousand dollars (\$300,000) for Special Districts division during the Contract Term.

Under no circumstances may any Work be done for one department or division utilizing another department or division's funding. It is Contractor's responsibility to keep the departments and divisions' funds separate and to monitor each department or division's balance to ensure Work for a department or division does not exceed its funding. Each invoice must list the department or division for which that Task Order was issued

4. Contract Term. The Contract Term shall begin on the Effective Date and end three (3) years thereafter, unless sooner terminated pursuant to the Contract Documents.

5. Antitrust Claims. In entering into this Contract, Contractor assigns to City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Business and Professions Code Section 16700 *et seq.*) arising from purchases of goods, services, or materials pursuant to the Contract Documents. This assignment shall be made and become effective at the time City tenders final payment to Contractor without further acknowledgment by the parties.

6. Prevailing Wages. City and Contractor acknowledge that the Tasks comprising the Project are public works to which prevailing wages apply. Once the Project Manager issues a Task Order, copies of the prevailing rate of per diem wages for each craft, classification, or type of worker needed to perform the corresponding Task will be on file with the Project Coordinator at City Hall and will be made available to any interested party on request. Contractor and all Subcontractors

are not qualified to bid on, be listed in a Bid proposal, or engage in the performance of any contract for public work, as defined in Labor Code Sections 1720 through 1861, unless registered and qualified to perform public work pursuant to Labor Code Section 1725.5 at the time of Bid submission.

7. Workers' Compensation. Labor Code Sections 1860 and 3700 provide that every contractor will be required to secure the payment of compensation to its employees. In accordance with the provisions of Labor Code Section 1861, by signing this Contract, the Contractor certifies as follows: "I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the Work of this Contract."

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

9. Authority. Any person executing this Contract on behalf of Contractor warrants and represents that he or she has the authority to execute this Contract on behalf of Contractor and has the authority to bind Contractor to the performance of its obligations hereunder.

10. Entire Agreement. This Contract, including all incorporated documents, constitutes the entire agreement between the parties hereto with respect to the Project and all related Tasks and supersedes all previous agreements, promises, proposals, representations, understandings and negotiations, whether written or oral, between the parties regarding the subject matter.

11. Amendment. No modification, amendment or supplement to this Contract other than Change Orders or Task Orders shall be binding unless made in writing and signed by the duly authorized representatives of both parties.

12. Counterparts. This Contract may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A signed copy of this Contract transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Contract for all purposes. This provision shall likewise apply to all Task Orders and other Contract Documents.

[signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the first written above.

CITY OF OXNARD

BPR INC.

☒ John C. Zaragoza, Mayor¹ _____ Date _____
☐ Alexander Nguyen, City Manager
☐ Purchasing Manager
☐ [name] , Buyer

Brian Patrick Rifley, Jr., Date _____
President/Secretary

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.

Exhibit INS-G

Exhibit INS-G

INSURANCE REQUIREMENTS FOR CONSTRUCTION PROJECTS (WITHOUT BUILDER'S RISK REQUIREMENT)

1. Contractor shall obtain and maintain during the performance of any services under this Contract the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of services hereunder by Contractor, its agents, representatives, employees or subcontractors.

a. Commercial General Liability Insurance, including Contractual Liability, in an amount not less than \$2,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG 0001). If a general aggregate limit is used, that limit shall apply separately to the project location or shall be twice the occurrence amount;

b. Business Automobile Liability Insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Insurance Services Office Automobile Liability Coverage (Occurrence Form CA0001) covering Code No. 1, "any auto;"

c. If architectural, engineering, or electrical work will be performed under the Contract, Professional Liability/Errors and Omissions Insurance appropriate to the work being done in an amount not less than \$1,000,000, with neither Contractor nor listed subcontractors having less than \$500,000 individually. The Professional Liability/Errors and Omissions Insurance must be project specific with at least a one year extended reporting period, or longer upon request.

d. Workers' Compensation Insurance in compliance with the laws of the State of California, and Employer's Liability Insurance in an amount not less than \$1,000,000 per claimant. Additionally, the workers' compensation policy shall include a waiver of all rights of subrogation which the insurer may have against the City.

2. Contractor shall, prior to performance of any services, file with the Risk Manager certificates of insurance with original endorsements effecting coverage required by this Exhibit INS-G. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on the attached forms or on other forms approved by the Risk Manager. All certificates and endorsements are to be received and approved by the Risk Manager before work commences. City reserves the right to require complete certified copies of all required insurance policies at any time. The certificates of insurance and endorsements shall be sent via email (or fax if necessary) to the Risk Manager, addressed as follows (do not send hard copies):

City of Oxnard
Insurance Compliance
Reference No. A-8493
P.O. Box 100085 – OX
Duluth, GA 30096
Via Email: cityofoxnard@ebix.com
Via Fax: 678-259-1007

3. Contractor agrees that all insurance coverages shall be provided by a California admitted insurance carrier with an A.M. Best rating of A:VII or better and shall be endorsed to state that coverage may not be suspended, voided, canceled by either party, or reduced in coverage or limits without 30 days' prior written notice to the Risk Manager. The Risk Manager shall not approve or accept any endorsement if the endorsement contains "best effort" modifiers or if the insurer is relieved from the responsibility to give such notice.

4. Contractor agrees that the Commercial General Liability and Business Automobile Liability Insurance policies shall be endorsed to name City, its City Council, officers, employees and volunteers as additional insureds as respects: liability arising out of activities performed by or on behalf of Contractor; products and completed operations of Contractor; premises owned, occupied or used by Contractor; or automobiles owned, leased, hired or borrowed by Contractor. The coverage shall contain no special limitations on the scope of protection afforded to City, its City Council, officers, employees and volunteers. **The General Liability Special Endorsement Form and Automobile Liability Special Endorsement Form attached to this Exhibit INS-G or substitute forms containing the same information and acceptable to the Risk Manager shall be used to provide the endorsements (ISO form CG 2010 11/85 or if not available, CG 2010 with an edition date prior to 01/04 and CG 2037).**

5. The coverages provided to City shall be primary and not contributing to or in excess of any existing City insurance or self-insurance coverages (**this must be endorsed**). Additionally, the workers' compensation policy shall include a waiver of all rights of subrogation which the insurer may have against the City. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to City, its City Council, officers, employees and volunteers. The insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

6. Any deductibles or self-insured retentions must be declared to and approved by the Risk Manager. At the option

of the Risk Manager, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its City Council, officers, employees and volunteers, or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

7. All insurance standards applicable to Contractor shall also be applicable to Contractor's subcontractors. Contractor agrees to maintain appropriate agreements with subcontractors and to provide proper evidence of coverage upon receipt of a written request from the Risk Manager.

8/22

INSTRUCTION FOR SUBMITTING INSURANCE CERTIFICATES AND ENDORSEMENT FORMS

Certificates of Insurance

The sample accord form on the following page is provided to facilitate your preparation and submission of certificates of insurance. You may use this or any industry form that shows coverage as broad as that shown on the attached sample. **Please note the certificate holder address must be as shown on the attached sample accord form with the contract number and insurance exhibit identification information completed.** Improperly addressed certificates may delay the contract start-up date because the City's practice is to return unidentifiable insurance certificates to the insured for clarification as to the contract number. **Cancellation provisions must be endorsed to the policy. Modifying the certificate does not change coverage or obligate the carrier to provide notice of cancellation.**

Endorsement Forms

Original endorsements are required for general liability and automobile liability insurance policies and must be attached to the applicable certificate of insurance. City preference is that you use the endorsement forms which are attached. Substitute forms will be accepted, however, as long as they include provisions comparable to the attached.

ACORD CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CODESUB-CODE

COMPANIES AFFORDING INSURANCE COVERAGE

INSURED

COMPANY
LETTER **A** SPECIFY COMPANY NAMES IN THIS SPACE

COMPANY
LETTER **B**

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR. ☒ OWNER'S & CONTRACTOR'S PROT.				GENERAL AGGREGATE \$2,000,000 PRODUCTS COMP/OP AGG. \$2,000,000 PERSONAL & ADV. INJURY \$2,000,000 EACH OCCURRENCE \$2,000,000 FIRE DAMAGE (Any one fire) \$ MED. EXPENSE (Any one person) \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY				COMBINED SINGLE LIMIT \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
A	EXCESS LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS EACH ACCIDENT \$1,000,000 DISEASE-POLICY LIMIT \$1,000,000 DISEASE-EACH EMPLOYEE \$1,000,000
A	OTHER Errors and omissions insurance or malpractice insurance available for the insured's profession; if architectural, engineering or electrical work will be performed under the Contract				Minimum coverage \$1,000,000 Each consultant/ \$500,000 & listed sub-consultant

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER

CITY OF OXNARD

Attn: Insurance Compliance

Reference No.A-8493

P.O. Box 100085 – OX

Duluth, GA 30096

Via Email: cityofoxnard@ebix.com

Via Fax: 678-259-1007

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

**GENERAL LIABILITY SPECIAL ENDORSEMENT
FOR THE CITY OF OXNARD (the aCity@)**

SUBMIT IN DUPLICATE

ENDORSEMENT NO. _____ ISSUE DATE (MM/DD/YY) _____

PRODUCER

POLICY INFORMATION:

Insurance Company: _____

Policy No.: _____

Policy Period: (from) _____ (to) _____

LOSS ADJUSTMENT EXPENSE

☐ Included in Limits

☐ In Addition to Limits

Telephone: _____

NAMED INSURED

☐ Deductible ☐ Self-Insured Retention (check which) of \$ _____
with an Aggregate of \$ _____ applies to _____
coverage. ☐ Per Occurrence ☐ Per Claim (which) _____

APPLICABILITY. This insurance pertains to the operations, products and/or tenancy of the named insured under all written agreements and permits in force with the City unless checked here ☐ in which case only the following specific agreements and permits with the City are covered:

CITY AGREEMENTS/PERMITS

TYPE OF INSURANCE

GENERAL LIABILITY

- ☐ COMMERCIAL GENERAL LIABILITY
☐ COMPREHENSIVE GENERAL LIABILITY
☐ OWNERS & CONTRACTORS PROTECTIVE

☐ Claims Made

Retroactive Date _____

☐ Occurrence

OTHER PROVISIONS

COVERAGES

LIABILITY LIMITS IN THOUSANDS \$

EACH OCCURRENCE

AGGREGATE

- ☐ GENERAL
☐ PRODUCTS/COMPLETED OPERATIONS
☐ PERSONAL & ADVERTISING INJURY
☐ FIRE DAMAGE
☐ _____
☐ _____

CLAIMS: Underwriter=s representative for claims pursuant to this insurance.

Name: _____

Address: _____

Telephone: (_____) _____

In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, insurance company agrees as follows:

1. INSURED. The City, its officers, agents, employees and volunteers are included as insureds with regard to liability and defense of suits arising from the operations, products and activities performed by or on behalf of the named insured.

2 CONTRIBUTION NOT REQUIRED. As respects: (a) work performed by the named insured for or on behalf of the City; or (b) products sold by the named insured to the City; or (c) premises leased by the named insured from the City, the insurance afforded by this policy shall be primary insurance as respects the City, its officers, agents, employees or volunteers; or stand in an unbroken chain of coverage excess of the named insured=s scheduled underlying primary coverage. In either event, any other insurance maintained by the City, its officers, agents, employees or volunteers shall be in excess of this insurance and shall not contribute with it.

3 SEVERABILITY OF INTEREST. This insurance applies separately to each insured against whom claim is made or suit is brought except with respect to the company=s limits of liability. The inclusion of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included.

4 CANCELLATION NOTICE. With respect to the interests of the City, this insurance shall not be canceled, or materially reduced in coverage or limits except after thirty (30) days prior written notice by receipted delivery has been given to the City.

5 PROVISIONS REGARDING THE INSURED=S DUTIES. Any failure to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the City, its officers, agents, employees or volunteers.

6 SCOPE OF COVERAGE. This policy, if primary, affords coverage at least as broad as:

a. Insurance Services Office Commercial General Liability Coverage, Aoccurrence@ form CG0001; or

b. If excess, affords coverage which is at least as broad as the primary insurance form CG0001.

Except as stated above nothing herein shall be held to waive, alter or extend any of the limits, conditions, agreements or exclusions of the policy to which this endorsement is attached.

ENDORSEMENT HOLDER

CITY OF OXNARD

Attn: Insurance Compliance

Reference No.A-8493

P.O. Box 100085 – OX

Duluth, GA 30096

Via Email: cityofoxnard@ebix.com

Via Fax: 678-259-1007

AUTHORIZED REPRESENTATIVE

☐ Broker/Agent ☐ Underwriter ☐ _____

I _____ (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement.

Signature _____
(original signature required)

Telephone: () Date Signed _____

AUTOMOBILE LIABILITY SPECIAL ENDORSEMENT FOR THE CITY OF OXNARD (the ACity@)		SUBMIT IN DUPLICATE	
		ENDORSEMENT NO.	ISSUE DATE (MM/DD/YY)
PRODUCER		POLICY INFORMATION: Insurance Company: Policy No.: Policy Period: (from) (to) LOSS ADJUSTMENT EXPENSE ☐ Included in Limits ☐ In Addition to Limits	
Telephone:		☐ Deductible ☐ Self-Insured Retention (check which) of \$ applies to coverage. ☐ Per Occurrence ☐ Per Claim (which)	
NAMED INSURED		APPLICABILITY. This insurance pertains to the operations, products and/or tenancy of the named insured under all written agreements and permits in force with the City unless checked here ☐ in which case only the following specific agreements and permits with the City are covered: CITY AGREEMENTS/PERMITS	
TYPE OF INSURANCE		OTHER PROVISIONS	
☐ COMMERCIAL AUTO POLICY ☐ BUSINESS AUTO POLICY ☐ OTHER			
LIMIT OF LIABILITY		CLAIMS: Underwriter=s representative for claims pursuant to this insurance.	
\$ per accident, for bodily injury and property damage.		Name: Address: Telephone: ()	
In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, insurance company agrees as follows:			
1. INSURED. The City, its officers, agents, employees and volunteers are included as insureds with regard to liability and defense of suits arising from the operations, products and activities performed by or on behalf of the named insured. 2. CONTRIBUTION NOT REQUIRED. As respects: (a) work performed by the named insured for or on behalf of the City; or (b) products sold by the named insured to the City; or (c) premises leased by the named insured from the City, the insurance afforded by this policy shall be primary insurance as respects the City, its officers, agents, employees or volunteers; or stand in an unbroken chain of coverage excess of the named insured=s scheduled underlying primary coverage. In either event, any other insurance maintained by the City, its officers, agents, employees or volunteers shall be in excess of this insurance and shall not contribute with it. 3. SEVERABILITY OF INTEREST. This insurance applies separately to each insured against whom claim is made or suit is brought except with respect to the company=s limits of liability. The inclusion of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included. 4. CANCELLATION NOTICE. With respect to the interests of the City, this insurance shall not be canceled, or materially reduced in coverage or limits except after thirty (30) days prior written notice by receipted delivery has been given to the City. 5. PROVISIONS REGARDING THE INSURED=S DUTIES. Any failure to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the City, its officers, agents, employees or volunteers. 6. SCOPE OF COVERAGE. This policy, if primary, affords coverage at least as broad as: a. Insurance Services Office Commercial General Liability Coverage, Aoccurrence@ form CG0001; or b. .If excess, affords coverage which is at least as broad as the primary insurance form CG0001. Except as stated above nothing herein shall be held to waive, alter or extend any of the limits, conditions, agreements or exclusions of the policy to which this endorsement is attached.			
ENDORSEMENT HOLDER			
CITY OF OXNARD Attn: Insurance Compliance Reference No.A-8493 P.O. Box 100085 – OX Duluth, GA 30096 Via Email: cityofoxnard@ebix.com Via Fax: 678-259-1007		AUTHORIZED REPRESENTATIVE ☐ Broker/Agent ☐ Underwriter ☐ I (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement. Signature (original signature required) Telephone: () Date Signed	

Bond No. _____

**PAYMENT BOND
(LABOR AND MATERIALS)**

KNOW ALL PERSONS BY THESE PRESENTS that:

WHEREAS the City of Oxnard ("Agency"), State of California, has awarded to _____

____ (“Principal”)

(Name and address of Contractor)

a contract (the "Contract") for the Work described as the On-Call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (the "Project").

WHEREAS, under the terms of the Contract, the Principal is required before entering upon the performance of any Work, to file a good and sufficient Bond with the Agency to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code.

NOW, THEREFORE, we, the undersigned Principal, and _____

(Name and address of Surety)

a corporation organized and existing under the laws of the State of _____
 ("Surety") a duly admitted surety insurer under the laws of the State of California, as Surety, and
 our heirs, assignees, successors, executors and administrators are held and firmly bound, jointly
 and severally, unto the Agency and all Contractors, Subcontractors, laborers, material suppliers,
 and other persons employed in the performance of the Contract and any Task related to the
 Contract and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the
 Civil Code in the penal sum of _____
 Dollars (\$ _____), this amount being not less than a hundred percent (100%) of the
 total not to exceed Contract Price, in lawful money of the United States of America, for materials
 furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance
 Act with respect to this Work or labor that the Surety will pay the same in an amount not exceeding
 the amount hereinabove set forth, and also in case suit is brought upon this Bond, will pay, in
 addition to the face amount thereof, costs and reasonable expenses and fees, including
 reasonable attorneys' fees, incurred by Agency in successfully enforcing this obligation, to be
 awarded and fixed by the court, and to be taxed as costs and to be included in the judgment
 therein rendered.

It is hereby expressly stipulated and agreed that this Bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this Bond.

The Project shall be considered “accepted” for the purposes of triggering Bond deadlines at the Contractor’s final completion of all Tasks, the City’s acceptance of all Tasks, and the end of the Contract Term, whichever occurs last. Upon expiration of the time within which the California Labor Commissioner may serve a civil wage and penalty assessment against the principal, any

of its Subcontractors, or both the principal and its Subcontractors pursuant to Labor Code Section 1741, and upon expiration of the time within which a joint labor management committee may commence an action against the principal, any of its subcontractors, or both the principal and its subcontractors pursuant to Labor Code Section 1771.2, if the condition of this Bond be fully performed, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract, including all incorporated documents, shall in any manner affect its obligations on this Bond. The Surety hereby waives notice of any such change, extension, alteration, or addition. Additionally, the Surety hereby waives California Civil Code Sections 2845 and 2849 as well as any statutes of limitation, statutes of repose and laches as they may apply to an action on this Bond.

IN WITNESS WHEREOF, this instrument has been duly executed by Principal and Surety, on the date set forth below, the name of each party being hereto affixed and these presents duly signed by its undersigned representative(s) pursuant to authority of its governing body.

Dated: _____

“Principal”

“Surety”

By: _____

By: _____

Its: _____

Its: _____

By: _____

By: _____

Its: _____

Its: _____

(Seal)

(Seal)

Note: This Bond must be executed in duplicate and dated, all signatures must be notarized, and evidence of the authority of any person signing as attorney-in-fact must be attached. The date of the Bond must not be before the Contract's Effective Date. Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State of California.

PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS that:

WHEREAS the City of Oxnard ("Agency"), has awarded to _____

(Name and address of Contractor) ("Principal")

a contract (the "Contract") for the Work described as the On-Call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (the "Project").

WHEREAS, Principal is required under the terms of the Contract to furnish a Bond for the faithful performance of the Contract.

NOW, THEREFORE, we, the undersigned Principal, and _____

(Name and address of Surety)

a corporation organized and existing under the laws of the State of _____
("Surety") a duly admitted surety insurer under the laws of the State of California, as Surety, are held and firmly bound unto the Agency in the penal sum of _____
_____ Dollars (\$ _____), this amount being not less than a hundred percent (100%) of the total not to exceed Contract Price, in lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, assigns, successors, executors and administrators, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, if the hereby bounded Principal, his, her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Contract and any alteration thereof made as therein provided for all Tasks, on the Principal's part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the Agency, its officers, agents and employees, as therein stipulated, within the Contract Term, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorneys' fees, incurred by Agency in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered. Surety hereby waives any statutes of limitation, statutes of repose and laches as they may apply to an action on this Bond.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract, including all incorporated documents, or of the Work to be performed under any Task Order shall in any way affect the Surety's obligations under this Bond. The Surety hereby waives notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the Work in any Task Order. Surety hereby waives California Civil Code 2845 and 2849. The City is the principal beneficiary of this Bond and has all rights of a party hereto.

IN WITNESS WHEREOF, this instrument has been duly executed by Principal and Surety, on the date set forth below, the name of each party being hereto affixed and these presents duly signed by its undersigned representative(s) pursuant to authority of its governing body.

Dated: _____

“Principal”

“Surety”

By: _____

By: _____

Its: _____

Its: _____

By: _____

By: _____

Its: _____

Its: _____

(Seal)

(Seal)

Note: This Bond must be executed in duplicate and dated, all signatures must be notarized, and evidence of the authority of any person signing as attorney-in-fact must be attached. The date of Bond must not be before the Contract's Effective Date. Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State of California.

Exhibit A

CITY OF OXNARD

BID SHEETS FOR ON-CALL SIDEWALK, CURB AND GUTTER AND SPANDREL SERVICES PROJECT SPECIFICATION NO. PW 22-130

Bidder's Name: BPR, Inc.

To the Honorable Mayor and Members of the City Council:

In compliance with the Notice Inviting Bids, the undersigned hereby agrees to execute the Contract to furnish all labor, , equipment and supplies for the Tasks comprising the Project in accordance with the Contract Documents to the satisfaction and under the direction of the Project Manager at the following prices:

ITEM NO.	UNIT	DESCRIPTION	EVALUATION QUANTITY	CONTRACT UNIT PRICE
1.	Per location as defined in the Special Provisions	Sidewalk Grinding	1 location	\$ 28.75
2.	Per Linear Foot	Curb and Gutter Grinding	1 LF	\$ 5.00
3.	Per Linear Foot	Spandrel Grinding	1 LF	\$ 4.75
TOTAL OF ALL CONTRACT UNIT PRICES (BID PRICE):				\$ 38.50

Note: No adjustment in the Contract Unit Prices will be allowed. The cost of all labor, , export of material and other costs shall be included in the above Contract Unit Prices; no additional compensation will be granted for such expenses.

BID PRICE IN DIGITS: \$ 38.50

BID PRICE IN WORDS: Thirty Eight dollars and fifty cents

Bidder acknowledges receipt of all addenda

Addendum: #01 Date Received: 4/1/22 BR
#02

Addendum: #03 Date Received: _____
#04

Bidder's Name (Company): BPR, Inc.

Signature: B-R Title: President

Print: Pat Rifley Date: 8/4/22

Signature: B-R Title: Secretary

Exhibit B

SPECIAL PROVISIONS

1000-1 SCOPE AND DESCRIPTION OF WORK

The Contractor shall furnish all necessary labor, materials, tools & equipment, work signs, cones and/or traffic control equipment and other incidentals and appurtenant Work to provide and perform portland cement concrete sidewalk, curb and gutter and spandrel grinding services on an on-call basis as requested through Task Order. Work locations for this project will include public streets within the City of Oxnard's city limits. The City will provide the location to be repaired and each Task Order may consist of various repair locations.

The scope of Work shall include, but not be limited to:

1. Contractor shall grind sidewalk with a minimum vertical displacement of ½" and a maximum vertical displacement of up to 2" at various locations throughout the City.
2. Contractor shall perform grinding of sidewalks, curb, gutters, and spandrels at locations which have a maximum vertical displacement of up to 2". Locations which have vertical displacements in excess of 2" shall be noted and no grinding will be permitted. Each sidewalk grind of five (5) feet or less will be considered as one (1) location. This description is applicable to locations that require half of one sidewalk panel and half of the sidewalk panel adjacent to it to be ground so that the grind is a full sidewalk width. Vendor shall not grind City's displacements that are parallel to the sidewalk without prior approval of the City's Project Manager. Grinding of curbs, gutters and spandrels will be measured by the linear foot (LF). Gutter flowline channeling shall be 2" in width with a variable depth of up to 4" depending upon field conditions. The channel shall be constructed adjacent to the existing curb face. No water shall be used in the channeling process.
3. Contractor shall perform grinding with a dry-cutting scarifier machine. Contractor shall ensure that the sidewalk surface on both sides of the transverse joint or crack has essentially the same texture (as determined by the City's Project Manager) and does not vary from a true plane enough to permit a 0.3 cm shim 10 cm wide to pass under a straightedge laid on the finished surface parallel with the centerline. Contractor shall also ensure that the transverse slope of finished surface shall also be uniform. The sidewalk being ground down should be maintained at 2% or less cross-slope and 5% or less for a running slope.
4. The finished grinding shall be rectangular in shape without stray grinding marks. The adjacent concrete shall remain untouched by the grinding process. Width of the grind shall extend the entire width of the sidewalk.
5. Contractor shall not smooth or polish ground services and shall ensure these ground surfaces have a coefficient of friction of not less than 0.30, as determined by California Test 342.

6. Contractor shall pick up residue from grinding operations by means of a vacuum attachment to its equipment, which shall not be allowed to flow across the sidewalk or be left on the surface or surrounding landscape of the sidewalk. Contractor shall properly dispose of residue away from the job site and in accordance with City Project Manager's requirements and applicable laws and regulations.
7. Contractor shall ensure that the noise level created by the combined grinding operation shall not exceed 86 dba at a distance of 50' at right angles to the direction of travel.
8. A "location" is defined as one sidewalk joint that is a maximum of 5' wide.
9. Contractor shall supply monthly reports in Excel spreadsheet format in both print and electronic version, identifying street names and locations where Work has taken place. The City will provide template for reporting for the Contractor to use. This report is due to the Project Manager by the first day of each month for Work performed during the prior month. Contractor shall also identify and provide photographs in the report any locations where it recommends additional Work may be needed.

1000-2 PAYMENT

All Work will be pre-approved by a Task Order issued by the Project Manager prior to starting Work. The Task Order shall include all materials, labor, and taxes. A separate invoice is required for each Task Order issued pursuant to the Contract.

Contractor shall only invoice for time spent at the locations of service. The City shall not pay for time spent en route to or traveling to acquire parts or supplies unless pre-approved by the Project Manager and included in the Task Order.

The unit cost of each item shall include all costs associated with the Work. Move in/move out of equipment shall be considered as a component of the contract unit price and no separate or additional compensation will be made. No per diem will be paid. No additional payment will be made for travel time to and from the job site.

Agreement A-8493 with BPR, Inc. for On-Call Sidewalk, Curb and Gutter, and Spandrel Grinding Services Project, Specification No. PW 22-130

Public Works and Transportation Committee
September 27, 2022

Philip Schwieder, Streets Manager
Eric L. Storrie, Special Districts Manager

RECOMMENDATION

That the Public Works and Transportation Committee recommend that the City Council approve and authorize Agreement A-8493 with BPR, Inc. for a total amount not to exceed \$800,000 for a three year term for the On-call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (Project No. MO3102).

BACKGROUND

- The City of Oxnard has approximately 650 miles of sidewalks and 644 miles of curb and gutters
- The purpose of the grinding program is to systematically identify and remove any vertical sidewalk & gutter displacements (lifts)
- Lifts can be caused by common factors such as age, poor or deteriorated subgrade material, deferred maintenance, and tree or vegetation roots

BACKGROUND

- Sidewalk grinding is the most common and cost effective method to correct lifted sidewalks
- Grinding can resolve displacements ranging between 1/4 inches and 2 inches



BACKGROUND

Displacements exceeding 2 inches are usually resolved by replacing sidewalk panels, curbs and gutters along with the cause of the displacement, such as roots.



BACKGROUND



BACKGROUND

Displacements exceeding the 2 inches are also resolved by ramping the lifted portion using an aggregate material or hot asphalt as a temporary repair.



DISCUSSION

- From 2020 to 2022, Streets & Special Districts Divisions have utilized BPR, Inc. (BPR) to complete a total of 34,709 displacement grinds
- The notice inviting formal bids (NIFB) on the Project was published on June 30, 2022, and all bids were due and opened on August 4, 2022. BPR was the only bidder and their bid is responsive to the City's NIFB

Item Description	Unit of Measure	BPR, Inc.
Sidewalk Grinding	Per Location	\$28.75
Curb & Gutter Grinding	Per Linear Foot	\$5.00
Spandrel Grinding	Per Linear Foot	\$4.75
Total Bid Price:		\$38.50

DISCUSSION

- Staff has reviewed all necessary documentation and available information and believes the contractor is capable of satisfactorily completing the project
- Contractor will supply monthly reports identifying completed grind locations and where additional work is needed

FINANCIAL IMPACT

- Total cost for this agreement with BPR shall not exceed \$800,000 with an allocation of \$500,000 for the Streets Division and \$300,000 for the Special Districts Division during the three-year term
- Estimated spending plan for FY 2022-23 from the Streets Division is \$120,000 from the Measure O - Half Cent Sales Tax Fund
- Estimated spending plan for FY 2022-23 from the Special Districts Division is \$50,000 from special assessments and taxes of the communities that receive the services
- Funding for subsequent fiscal years will be requested during the annual budget process



QUESTIONS



**PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT**

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

DATE: September 27, 2022

TO: Public Works and Transportation Committee

FROM: Michael Wolfe, Public Works Director, (805) 385-8055, michael.wolfe@oxnard.org

SUBJECT: Consideration of Naming a Sports Field at Durley Park the "Helen Lopez Field". (0/5/5)

RECOMMENDATION

That the Public Works and Transportation Committee recommend that the City Council:

1. Review and consider the request from the Sunset Little League, along with the recommendation from the Parks, Recreation, and Community Services Commission, to name a sports field at Durley Park the "Helen Lopez Field"; and
2. Direct staff to install appropriate signage to effectuate the naming, should it be approved, taking into consideration upcoming park improvements.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/wnRZkPu3AUc>

BACKGROUND

In April of 1977, the City Council established the procedures for naming City parks and other facilities in Resolution No. 12,991 (Resolution) (Attachment 1).

Currently, there is one baseball field at Durley Park (Attachment 2) that was named posthumously, as well as one softball field at Beck Park (Attachment 3) and two softball fields at Community Center Park (Attachment 4) that were named after Police Officers who died in the line of duty. There are no parks, recreation facilities, or other public facilities that are named after a person who is living. However, the Bedford Pinkard SkatePark at College Park was named while he was still alive.

On May 25, 2022, the Parks, Recreation, and Community Services Commission (Commission) received a presentation from the Sunset Little League (League) requesting to name the minor field at Durley Park "Helen Lopez Field". For nearly four decades, Helen has been an active and essential part of the League at Durley Park. Beginning as a volunteer 38 years ago, Helen rose to the rank of President of the League and held that position for decades. She consistently recruited and mentored managers, coaches, umpires, snack bar servers, and field maintenance personnel. Among her contributions to the non-profit organization was the inclusion of girls in the Sunset Little League.

On June 22, 2022, the Commission approved a recommendation to the City Council to name a field at Durley Park "Helen Lopez Field".

DISCUSSION

The Resolution for naming City parks and other public facilities contains 9 steps. Steps 1-3 have been completed with the Request by the League and the Recommendation to the City Council by the Commission. Steps 4, 5, and 9 are not applicable as these address other facilities, proposed alternate names, and a repeal of section F-6 from the Administrative Manual.

Step 6 states that “City Council, at its discretion, will select the name for the park, recreation facility, or other public facility.”

Step 7 states: “Although exceptional, in appropriate circumstances as determined by the City Council, a park, recreation facility, or other public facility may be named after a person, whether living or deceased.” Staff interprets this as the original intent of the Resolution to only name facilities posthumously with exceptions for appropriate circumstances as approved by City Council. Furthermore, Step 8 requires that if the person is deceased, then “a minimum of five years shall have elapsed since the person’s death before his or her name may be considered by City Council”.

Recently, the City was awarded a \$7 million grant to renovate Durley Park. The renovation project includes turning the ball fields to centralize all of the backstops to the concession and restroom building. Therefore, due to the pending construction, any new amenities, including permanent plaques or signs, are not recommended at this time. However, if the naming is approved, a temporary sign could be placed until such time as the park renovation would incorporate a permanent item (e.g. plaque or sign).

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 for the naming of the field. However, there may be future costs associated with signs or plaques acknowledging the field name. These costs may be paid through donations.

Prepared by: Steve Howlett, Assistant Public Works Director

ATTACHMENTS

1. Resolution 12991 Naming of City Facilities
2. Map of Durley Park
3. Map of Beck Park
4. Map of Community Center Park
5. Presentation

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 12,991

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING PROCEDURES FOR NAMING CITY PARKS AND OTHER
PUBLIC FACILITIES.

WHEREAS, the City Council adopted a policy in April, 1977 establishing procedures and guidelines for naming City facilities in honor of local residents; and

WHEREAS, the City Council desires to update and revise this policy.

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

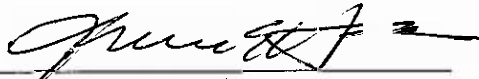
1. Any person, entity, or organization, including a City employee, may request that a park, recreation facility or other public facility be identified in a specific manner.
2. Any such request shall be filed with the City Clerk or designee.
3. If the request concerns a park or recreation facility, the name will be reviewed by the Parks and Recreation Commission ("Commission"). The Commission shall then recommend a name for the park or recreation facility to the City Council.
4. If the request concerns a public facility other than a park or recreation facility, the name will be reviewed by the City Council.
5. The City Council or Commission will consider such requests at a public meeting. At the meeting any person, entity or organization may propose another name for the park, recreation facility or other public facility.
6. After thoroughly evaluating all of the names submitted and any recommendation of the Commission, the City Council, at its discretion, will select the name for the park, recreation facility or other public facility.
7. Although exceptional, in appropriate circumstances as determined by the City Council, a park, recreation facility or other public facility may be named after a person, whether living or deceased.
8. If the name of a deceased person is submitted as the name of park, recreation facility or other public facility, a minimum of five years shall have elapsed since the person's death before his or her name may be considered by City Council.
9. Administrative Manual Section F-6 is hereby repealed.

PASSED AND ADOPTED this 10th day of January 2006 by the following vote:

AYES: Councilmembers Herrera, Holden, Maulhardt, Zaragoza and Flynn.

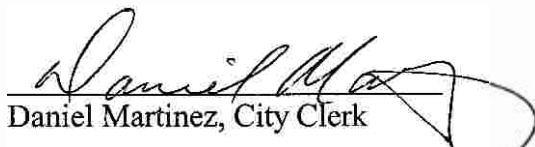
NOES: None.

ABSENT: None.



Dr. Thomas E. Holden, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 12-22-05

Gary L. Gillig, City Attorney



Lopez Field?

City of Oxnard
Pre-School

Boll Field

Durley Park

SJ St

Hill St

Hill St

W Cedar Ct



W Kamala St

W Kamala St

W Kamala St

School

Rudolph Beck
Memorial Park

O'Brien Field

W Laurel St

St Anthony's School

W Laurel St

h St

Clark Field

Adair Field

Oxnard
Community
Park West

Kingfisher Way

Ninth St

Ninth St

Consideration of Naming a Sports Field at Durley Park the “Helen Lopez Field”

Public Works and Transportation Committee
September 27, 2022

Steve Howlett
Asst. Public Works Director

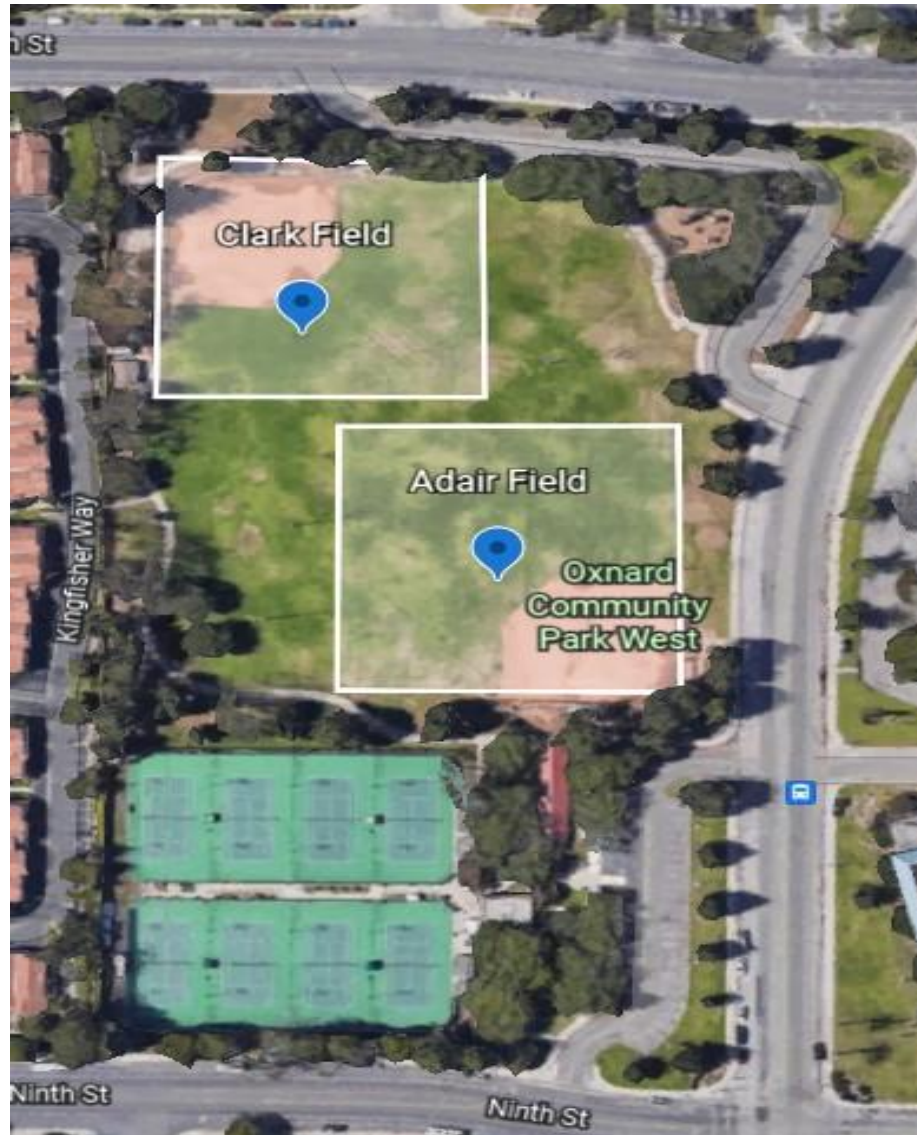
That the Public Works and Transportation Committee recommend that the City Council:

1. Review and consider the request from the Sunset Little League, along with the recommendation from the Parks, Recreation, and Community Services Commission, to name a sports field at Durley Park the “Helen Lopez Field”; and
2. Direct staff to install appropriate signage to effectuate the naming, should it be approved, taking into consideration upcoming park improvements.

- In April of 1977, the City Council established the procedures for naming City parks and other facilities in Resolution No. 12,991.
- Currently, there is one baseball field at Durley Park that was named posthumously, as well as one softball field at Beck Park and two softball fields at Community Center Park that were named after Police Officers who died in the line of duty.
- There are no parks, recreation facilities, or other public facilities that are named after a person who is living. However, the Bedford Pinkard SkatePark at College Park was named while he was still alive.







- On May 25, 2022, the Parks, Recreation, and Community Services Commission (“Commission”) received a presentation from the Sunset Little League requesting to name the minor field at Durley Park as “Helen Lopez Field”.
- On June 22, 2022, the Commission approved a recommendation to the City Council to name a field at Durley Park “Helen Lopez Field”.

RESOLUTION NO. 12,991

1. Any person, entity, or organization, including a City employee, may request that a park, recreation facility or other public facility be identified in a specific manner.
2. Any such request shall be filed with the City Clerk or designee.
3. If the request concerns a park or recreation facility, the name will be reviewed by the Parks and Recreation Commission ("Commission"). The Commission shall then recommend a name for the park or recreation facility to the City Council.
4. If the request concerns a public facility other than a park or recreation facility, the name will be reviewed by the City Council.
5. The City Council or Commission will consider such requests at a public meeting. At the meeting any person, entity or organization may propose another name for the park, recreation facility or other public facility.
6. After thoroughly evaluating all of the names submitted and any recommendation of the Commission, the City Council, at its discretion, will select the name for the park, recreation facility or other public facility.
7. Although exceptional, in appropriate circumstances as determined by the City Council, a park, recreation facility or other public facility may be named after a person, whether living or deceased.
8. If the name of a deceased person is submitted as the name of park, recreation facility or other public facility, a minimum of five years shall have elapsed since the person's death before his or her name may be considered by City Council.
9. Administrative Manual Section F-6 is hereby repealed.

- The Resolution for naming City parks and other public facilities contains 9 steps.
 - Steps 1-3 have been completed.
 - Steps 4, 5, and 9 are not applicable.
 - Step 6 states that “City Council, at its’ discretion, will select the name for the park, recreation facility, or other public facility.”
 - Step 7 states: “Although exceptional, in appropriate circumstances as determined by the City Council, a park, recreation facility, or other public facility may be named after a person, whether living or deceased.” Staff interprets this as the original intent of the Resolution to only name facilities posthumously with exceptions for appropriate circumstances as approved by City Council.
 - Step 8 requires that if the person is deceased, then “a minimum of five years shall have elapsed since the person’s death before his or her name may be considered by City Council.

- Recently, the City was awarded a \$7 million grant to renovate Durley Park. The renovation project includes turning the ball fields to centralize all of the backstops to the concession and restroom building.
- Due to the pending construction, any new amenities, including permanent plaques or signs, are not recommended at this time.
- However, if the naming is approved, a temporary sign could be placed until such time as the park renovation would incorporate a permanent item (e.g. plaque or sign).

There is no financial impact for the naming of the field. However, there may be future costs associated with signs or plaques acknowledging the field name. These costs may be paid through donations.

QUESTIONS?



CITY COUNCIL AGENDA REPORT

REPORTS AGENDA ITEM NO. D.3

DATE: September 27, 2022

TO: Public Works and Transportation Committee

FROM: Michael Wolfe, Public Works Director, (805) 385-8055, michael.wolfe@oxnard.org

SUBJECT: Amend Department-Wide Blanket Purchase Orders for a Not to Exceed (NTE) Amount Greater than \$200,000 Each. (0/5/5)

RECOMMENDATION

That the Public Works and Transportation Committee recommended that the City Council approve and authorize the Purchasing Agent to amend the following:

1. Purchase Order #8797 with Consolidated Electrical Distributors for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023;
2. Purchase Order #8831 with Napa dba Ventura County Auto Supply for an additional \$200,000 for a new not to exceed amount of \$400,000 through June 30, 2023;
3. Purchase Order #8841 with Ferguson Enterprise, LLC for an additional \$150,000 for a new not to exceed amount of \$350,000 through June 30, 2023;
4. Purchase Order #8842 with Famcon Pipe & Supply Inc. for an additional \$400,000 for a new not to exceed amount of \$600,000 through June 30, 2023; and
5. Purchase Order #8859 with O'Reilly Auto Parts for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/mWFe_WF83ac

BACKGROUND

A blanket purchase order (BPO) is an agreement established with a vendor to fill repetitive needs for goods. BPOs make it more efficient for the vendor and departments to fill recurring needs, while using the City's full buying power by taking advantage of quantity discounts, which saves administrative time, and reduces paperwork. BPOs are established as purchase orders with a maximum order amount or not to exceed (NTE) amount, rather than for a specific amount.

DISCUSSION

Each fiscal year, departments and divisions require a quick and efficient method to procure goods needed to accomplish their mission. Blanket purchase orders are a tool the City of Oxnard utilizes, as do many other public agencies, in order to satisfy this need. The original BPOs in this report have been issued using cooperative agreements or negotiated sole source agreements. The cooperative agreements have been bid and awarded in accordance with local, State and, in many instances, federal laws that govern public procurement. As such, other public agencies, like the City, are invited to utilize the terms and conditions of purchase. Negotiated sole source agreements are utilized for unique goods and services, which are only obtainable through one source due to proprietary reasons and which have exclusive compatibility with existing City equipment.

The City of Oxnard Wastewater and Water Divisions both utilize Consolidated Electrical Distributors (CED) for Rockwell brand Variable Frequency Drives which control the speed of various pumps. CED, the only sole source amended BPO recommended in this staff report, is the sole distributor of Rockwell brand products in the Southern California region. The remaining amended BPOs are cooperative agreement types. For reference, Ferguson Enterprise, LLC and Famcon Pipe & Supply provide industrial grade pipes and pipe related materials such as clamps, valves, mechanical joints, and gaskets and are used by the Water and Wastewater Divisions of Public Works. Napa dba Ventura County Auto Supply and O'Reilly Auto Enterprises LLC dba O'Reilly Auto Parts provide a wide range of automotive parts, batteries, tools, and equipment for in-house automotive repairs and are used by the Fleet Maintenance and Wastewater Divisions of Public Works.

Below is a list of recommendations of not to exceed values of greater than \$200,000 for current BPOs being utilized by the Public Works Department that have been awarded through a cooperative agreement, with a requested annual NTE amount greater than \$200,000. While some of the contracts continue past this fiscal year, we are only requesting authorization for the current fiscal year.

<u>Vendor Name</u>	<u>Cooperative Agreement/ Agreement Type</u>	<u>Cooperative Agreement Number</u>	<u>Cooperative Agreement Initial Expiration Date</u>	<u>Purchase Order #</u>	<u>Initial Issued Amount</u>	<u>FY 2022-23 Recommended Not to Exceed Amount</u>
Consolidated Electrical Distributors	Sole Source	N/A	6/30/23	8797	\$200,000	\$300,000
Napa dba Ventura County Auto Supply	Sourcewell	013020-GPC	4/13/24	8831	\$200,000	\$400,000
Ferguson Enterprise, LLC	City of Ventura	ITB NO. B-130000654	6/30/23	8841	\$200,000	\$350,000
Famcon Pipe & Supply Inc.	City of Ventura	ITB NO. B-130000654	6/30/23	8842	\$200,000	\$600,000
O'Reilly Auto Enterprises LLC dba O'Reilly Auto Parts	Sourcewell	032521-ORA	5/19/25	8859	\$200,000	\$300,000

The Public Works Department requests approval of the five amended BPOs for the NTE amounts in the table above. The amounts suggested are based on data collected from Public Works Divisions' forecasted spending with each vendor, rising inflation, and unpredictability for cost of goods.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

FINANCIAL IMPACT

The total cost for all amended BPOs will be funded from various funding sources. Funding to pay for these parts and supplies will come from Public Works divisional available operating budgets, such as Water Operations, Wastewater Operations, and Fleet Maintenance. There are sufficient funds in the FY 2022-23 Adopted Budget for these various purchases.

COMMITTEE OUTCOME

Prepared by: Brian Yanez, Assistant Public Works Director, Joseph Marcinko, Assistant Public Works Director

ATTACHMENTS

1. Presentation

Public Works Blanket Purchase Orders for FY 2022-23

Public Works & Transportation Committee
September 27, 2022

City Council
October 18, 2022

Joseph Marcinko, Assistant Public Works Director
September 27, 2022

That the Public Works and Transportation Committee recommended that the City Council approve and authorize the Purchasing Agent to amend the following:

1. Purchase Order #8797 with Consolidated Electrical Distributors for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023;
2. Purchase Order #8831 with Napa dba Ventura County Auto Supply for an additional \$200,000 for a new not to exceed amount of \$400,000 through June 30, 2023;
3. Purchase Order #8841 with Ferguson Enterprise, LLC for an additional \$150,000 for a new not to exceed amount of \$350,000 through June 30, 2023;
4. Purchase Order #8842 with Famcon Pipe & Supply Inc. for an additional \$400,000 for a new not to exceed amount of \$600,000 through June 30, 2023; and
5. Purchase Order #8859 with O'Reilly Auto Parts for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023.

That the City Council approve and authorize the Purchasing Agent to amend:

1. Purchase Order #8797 with Consolidated Electrical Distributors for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023;
2. Purchase Order #8831 with Napa dba Ventura County Auto Supply for an additional \$200,000 for a new not to exceed amount of \$400,000 through June 30, 2023;
3. Purchase Order #8841 with Ferguson Enterprise, LLC for an additional \$150,000 for a new not to exceed amount of \$350,000 through June 30, 2023;
4. Purchase Order #8842 with Famcon Pipe & Supply Inc. for an additional \$400,000 for a new not to exceed amount of \$600,000 through June 30, 2023; and
5. Purchase Order #8859 with O'Reilly Auto Parts for an additional \$100,000 for a new not to exceed amount of \$300,000 through June 30, 2023.

- A blanket purchase order (BPO) is an agreement established with a vendor to fill repetitive needs for goods
- BPOs make it more efficient for the vendor and departments to fill recurring needs, while using the buyer's full buying power by taking advantage of quantity discounts, saving administrative time, and reducing paperwork
- BPOs are established as purchase orders with a maximum order amount or not to exceed (NTE) amount, rather than for a specific amount

- Departments and divisions require a quick and efficient method to procure goods needed to accomplish their mission on an annual basis
 - BPOs are a tool the City of Oxnard utilizes, as do many other public agencies in order to satisfy this need
- These original BPOs have all been issued using cooperative agreements or negotiated sole source pricing

- Cooperative agreements have been bid and awarded in accordance with local, state and, in many instances, federal laws that govern public procurement, and other public agencies like the City are invited to utilize the terms and conditions of purchase.
- Negotiated Sole Source agreements are utilized when no other vendor can be utilized for reasons including but not limited to: proprietary equipment, compatibility with existing city infrastructure, and territory distribution rights

- Water and Wastewater Operations utilize Rockwell brand Variable Frequency Drives (VFDs)
- VFDs control/adjust the operational speeds of various pump motors throughout the operation
- Utilizing a single brand for VFDs helps with operational efficiencies and training for staff
- Consolidated Electrical Distributors (CED) has territorial rights for the sales and distribution of Rockwell brand items in the southern California Region

Below is the list of recommended, amended BPOs used citywide that have been awarded through a cooperative agreement, with an annual NTE amount greater than \$200,000 that requires the Mayor or most senior Council Member's approval and signature. While some the contracts continue past this fiscal year, we are only requesting authorization for the current fiscal year.

<u>Vendor Name</u>	<u>Cooperative Agreement</u>	<u>Cooperative Agreement Number</u>	<u>Cooperative Agreement Initial Expiration Date</u>	<u>Initial Issued Amount</u>	<u>FY 2022-23 Recommended Not to Exceed Amount</u>
Consolidated Electrical Distributors	Sole Source	N/A	6/30/23	\$200,000	\$300,000
Napa dba Ventura County Auto Supply	Sourcewell	013020-GPC	4/13/24	\$200,000	\$400,000
Ferguson Enterprise, LLC	City of Ventura	ITB NO. B-130000654	6/30/23	\$200,000	\$350,000
Famcon Pipe & Supply Inc.	City of Ventura	ITB NO. B-130000654	6/30/23	\$200,000	\$600,000
O'Reilly Auto Enterprises LLC dba O'Reilly Auto Parts	Sourcewell	032521-ORA	5/19/25	\$200,000	\$300,000

- Total cost for all amended BPOs values will be funded from various funding sources within the Public Works Department
- There are sufficient funds in the FY 2022-23 Adopted Budget for these various purchases



Questions



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

REPORTS AGENDA ITEM NO. D.4

DATE: September 27, 2022

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

FROM: Ashley Golden, Assistant City Manager, (805) 385-7478, ashley.golden@oxnard.org

SUBJECT: Climate Action and Adaptation Plan and an Addendum to the 2030 General Plan Program Environmental Impact Report (PEIR; SCH # 2007041024). (15/10/10)

RECOMMENDATION

That the Public Works & Transportation Committee:

1. Receive a presentation on the City's Draft Climate Action and Adaptation Plan (CAAP);
2. Receive public comments on the Draft CAAP document;
3. Provide recommendations on Planning Commission and Staffs recommended edits ; and
4. Provide feedback on the Draft CAAP document.

(Live presentation by Jeff Caton and Shannon Wages, Environmental Science Associates.)

BACKGROUND

EXECUTIVE SUMMARY

The City's Draft CAAP ("CAAP") builds on the City's successes of implementing the City's 2030 General Plan and recommits to furthering the City's sustainability goals and policies. The CAAP presents an inventory of GHG emissions originating from the City, and sets forth strategies and actions to reduce emissions and help the community adapt to a changing climate. Together with the community and partnering organizations, the City is leading a coordinated effort to build an equitable, sustainable and resilient community for current and future generations. The CAAP has two primary objectives:

1. To reduce GHG emissions through the implementation of reduction measures to meet reduction targets mandated by the State of California via Senate Bill 32 (SB 32), which calls for a statewide reduction of GHG emissions to 40 percent below 1990 levels by 2030; and
2. To enhance the community's resilience to a changing climate by addressing the vulnerabilities and risks, such as flooding, extreme heat, and degraded air quality, that are expected to occur as a result of those impacts.

The CAAP is intended to reduce GHG to meet established thresholds and to strengthen the City's resilience by addressing the vulnerabilities and risks that are expected to occur as a result of identified hazards. The CAAP also recommends adaptation strategies needed to ensure community preparedness and resilience.

The Planning Commission reviewed the Draft CAAP during two meetings. At the July 7th Planning Commission study session, the Commission reached consensus to revise the CAAP to address seven items. Seven additional topics were raised at the July 7th meeting for which there was no consensus. Upon further analysis by staff and a discussion at the Planning Commission's September 1, 2022 meeting, these seven items were scaled back and the Commission agreed with staff that the CAAP should be revised to address only three items (instead of seven). These recommended changes are memorialized in the Planning Commission's resolution of approval; see the analysis section of this report for that discussion.

The community, Planning Commission, Community Service, Public Safety, Housing and Development Committee, and City Council have all contributed to the Draft CAAP. Most recently the Planning Commission recommended approval (with slight modifications) of the Draft CAAP to the City Council.

The CAAP is expected to go to the full Council on October 18 (see Attachment 1 - [CAAP-Public-draft-2022.pdf \(oxnard.org\)](#)). With Council concurrence, the Planning Commission's recommendations and community input will result in slight changes to the Draft CAAP with added language to various chapters of the CAAP. A matrix summarizing these revisions ("CAAP Stakeholder and Community Comment Letters and City Response matrix") is provided in Attachment D to the September 1, 2022 Planning Commission staff report (see Attachment 2). After the October 18 Council meeting, edits will be incorporated to create the Final CAAP.

DISCUSSION

Like other communities in California, Oxnard is likely to face serious economic, social, and environmental challenges in the coming decades due to rising temperatures, sea level rise, extreme storms, wind events, more severe droughts, and diminishing air quality that is expected to occur because of climate change. These impacts present significant threats to community health and wellbeing, which will not affect everyone equally. Vulnerable groups, such as the elderly, low-income families, farmworkers/agricultural workers, undocumented immigrants, communities of color, and individuals already suffering from chronic diseases, will be disproportionately impacted by these changes.

Resilience, as defined by the State of California's Adaptation Planning Guide, is the "capacity of any entity—an individual, a community, an organization, or a natural system—to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience." Climate adaptation is defined by this same source as "actions that address the projected impacts on all aspects of community function that may result from climate change. This can include impacts related to hazard events such as flooding and wildfire, as well as slow changes that affect agricultural, forestry, and fisheries productivity; ecosystem structure and function; and public health."

CAAP Structure

The CAAP contains an executive summary and five Chapters, as well as Appendices, which provide additional detail on topics covered in the CAAP (see Attachment 1 - <https://www.oxnard.org/climate-action-plan/>).

- Executive Summary — The executive summary includes a synopsis of the Draft CAAP, including the plan's organization and a summary of the City's GHG emissions inventory and target, and the CAAP's strategies for reducing emissions and adapting to climate change.
- Chapter 1— Introduction and Background: This Chapter provides an overview of the document, the purpose and scope of the CAAP, the basic science behind climate change, and the importance of considering equity when taking action. In addition, Chapter 1 provides a brief explanation of potential impacts of climate change in the City of Oxnard, the community benefits of taking action, the process for engaging with the community and stakeholders, and a discussion of the state and local actions to reduce GHG emissions.

- Chapter 2— Understanding Oxnard’s Greenhouse Gas Emissions: This Chapter presents a summary of GHG emissions being generated by the community and by municipal operations. It provides an understanding of where GHG emissions are originating from, including trends and forecasts, and what can be done to reduce them. Finally, Chapter 2 establishes Oxnard’s GHG reduction target.
- Chapter 3— Reducing Greenhouse Gas Emissions: This Chapter describes the GHG reduction strategies and actions the City will implement at the local level regarding energy use, transportation and land use, solid waste management, and water consumption. Chapter 3 addresses each of these sectors, summarizing their contribution to total citywide emissions and describing the strategies and actions that will be implemented to reduce emissions from each category over time.
- Chapter 4— Community Resilience and Adaptation: This Chapter presents an overview of the impacts the City of Oxnard is expected to experience due to projected changes in the climate, and what the City can do to begin preparing for them. It describes expected local impacts and vulnerabilities, and potential adaptation planning strategies.
- Chapter 5— Implementation and Monitoring: This Chapter outlines recommended steps for implementing the GHG-reduction strategies described in Chapters 3 and 4, and for monitoring the progress of implementation. It identifies funding sources and assigns implementation and monitoring responsibility to specific City departments, presenting a schedule for implementation.
- Appendices — The CAAP document contains Appendices A - F to document work on the CAAP to support CAAP implementation; including Appendix A— Community and Stakeholder Engagement Reports; Appendix B— Major Climate Policies and Regulations in California as of 2022; Appendix C— Greenhouse Gas Quantification Methods; Appendix D— City of Oxnard Social Vulnerability Index; Appendix E— Partnering Organizations; and Appendix F—Funding Sources.

Timeframe for GHG Reduction Actions

The Draft CAAP document identifies near term (Fiscal Years (FY) 2022-2025), mid term (FY 2025 to 2027), and long term (FY 2027-2030) implementation measures in order to realize GHG reduction goals. The long term actions are important for staying on track to achieve the deeper reductions needed throughout the State to reach carbon neutrality by 2045 (as called for in Governor’s Executive Order B-55-18).

The City’s Capital Improvement Program (CIP: FYs 2022-2027) was adopted on May 3, 2022, with funding approved for projects in FYs 2022-2024. The Draft CAAP identifies a number of near-term (FY 2022-2025) GHG reduction actions. However, since CIP projects through 2024 are already approved, the City will have limited time to execute near-term CAAP strategies. City Council prioritization of GHG reduction actions will need to occur as part of the City’s yearly budgeting and CIP approval process. It is recommended in the Final CAAP that implementation timeframes for GHG reduction activities only change as follows:

For GHG Reduction Actions	
Draft CAAP Chapter 5 Time frames	Staff Recommended Final CAAP Chapter 5 Time frames

Near Term 2022–2025	Now 2022-2026
Mid Term 2025–2027	Now 2026-2030
Long Term 2027– 2030* <i>*Currently there are no GHG reduction strategies identified for the Long-Term measures; however, that could change with future updates to the CAAP</i>	Now 2030-2035

Timeframe for Resilience and Adaptation Actions

Due to the inherent uncertainty of how future climate hazards will develop and the range of time frames in which the community will experience impacts, the time frames indicated for resilience and adaptation strategies differ from those used for the GHG Reduction Actions.

City Council and Committee Input

On March 30, 2021 the City Council received a presentation regarding the preparation of the CAAP document, including a detailed summary of what creates climate impacts in the City, an analysis of the City's GHG emissions in relation to statewide targets, and identification of what the City can do to reduce its emissions (see Attachment 3). The staff report established that the CAAP was being developed to align with California's statewide target mandated by SB 32; this requires the State to reduce GHG emissions 40 percent below 1990 levels by 2030. As supported by the City Council at this meeting, the City's CAAP GHG strategies, programs and policies, and overall approach have been developed to align with Council direction which helps the City meet the City's GHG reduction objectives (see Analysis section of this staff report)..

The analysis in the March 30, 2021 staff report (with GHG emission information further refined in the January 25, 2022 Committee staff report; Attachment 4) provided detail on the City's community and municipal operations GHG emissions inventories and forecasts. By knowing where the City's GHG emission originate, GHG reduction strategies can be crafted. Updated transportation analysis using the City's 2018 inventory (the most recent year with accurate available data) showed that overall, City GHG emissions were comprised as follows:

- On-Road Transportation (44%) - Emissions from cars and trucks that travel local roads and highways;
- Electricity (24%) - Emissions from the generation of electricity that is used by the community;
- Natural Gas (19%) - Emissions from the combustion of natural gas used by buildings and industry;
- Solid Waste (8%) - Emissions from the decomposition of waste sent to landfills;
- Off-Road Sources (4%) - Emissions from operation of construction and other off-road equipment;
- Water and Wastewater (1%) - Includes emissions from the electricity used to pump water and wastewater, as well as direct emissions resulting from wastewater treatment processes and local septic tanks; and
- Other (<1%) - emissions from passenger rail (Amtrak and MetroLink)

The March 2021 staff report explained that achieving a GHG target in alignment with SB 32 will require examination of the following sector-specific strategies:

- **Green the electricity supply:** This strategy reduces emissions from electricity used by buildings, lighting, and water delivery by increasing the percentage of power being supplied by renewable (i.e., zero-emissions) electricity.
- **Electrify buildings:** This strategy reduces emissions from the consumption of natural gas by shifting the energy use to electricity, which has a lower carbon footprint, particularly when paired with the use of low- or zero-carbon electricity.
- **Electrify transportation:** This strategy reduces emissions from on-road vehicles, the biggest contributor to the City’s emissions, by supporting the transition to plug-in electric (PEV) and hydrogen-powered vehicles.
- **Improve energy efficiency of buildings:** This strategy reduces emissions from electricity and natural gas by reducing the energy needed for heating, cooling and lighting. While new buildings will generally be highly energy efficient due to increasingly stringent building codes (e.g., Title 24), many existing buildings can be greatly improved with respect to energy efficiency.
- **Reduce vehicle miles traveled (VMT):** This strategy reduces emissions from on-road vehicles through land-use planning that emphasizes access to transit and reduces the need for vehicular travel through density increases, support for a mix of uses, and safe and convenient pedestrian and bicycle infrastructure.
- **Strive for zero waste:** This strategy reduces emissions from landfill decomposition of organic waste by reducing the amount of waste sent to the landfill.
- **Conserve water:** This strategy reduces emissions associated with the energy needed to treat and deliver water to the City’s end consumers by reducing the amount of water consumed in the City.

On January 25, 2022, City Staff provided the Community Services, Public Safety, Housing & Development Committee (“Committee”) with an update on the City’s CAAP community engagement methods and recommendations and provided the Committee with information on the strategies and key GHG reduction opportunities available to the City (See Attachment 4). The Committee was supportive of staff’s recommendations; no public comments were received.

In response to the feedback provided and concurrence achieved in this meeting regarding high level GHG reduction strategies, the Draft CAAP was further refined and developed with community input and opportunities for engagement and feedback.

ANALYSIS

GHG Reduction Strategies Included in the Draft CAAP

In March 2021 and January 2022, the City Council and Committee looked at GHG reduction actions to help the City achieve City Council supported reduction targets (GHG emission reductions - 40 percent below 1990 levels by 2030). The reports presented sector-specific strategies. These strategies were expanded through the development of the CAAP and presented to the stakeholders, community, and Planning Commission.

The CAAP identifies key actions and strategies to help the City achieve its 2030 GHG reduction strategies. These are highlighted below. It is important to note that some of these actions and strategies are already occurring in compliance with State laws (ex., recycling and waste diversion) but are important to achieving the City’s GHG reduction goals:

CAAP Actions to Achieve GHG Reductions

*All Strategies and Actions can be found in Chapter 3 and Chapter 5 of the Climate Action and Adaptation Plan.

<u>Category</u>	<u>CAAP Strategy</u>	<u>Strategy to Achieve GHG Reduction Goal</u>	<u>Key Implementing Actions</u>
	E1: Procure Zero-Carbon Electricity	X	E1.1 – Invest City staff time and financial resources in maintaining a minimum 95 percent community participation rate in CPA’s 100 Percent Green option, or equivalent, through the year 2030
Clean Energy (E)	E2: Increase Local Solar Energy Generation		E2.1– Partner with interested developers to create Community Solar projects in the CPA program, or equivalent Community Renewables program offered by SCE
	E3: Develop Energy Storage/Microgrids		E3.1 – Partner with CPA to develop their Power Response Program, which offers incentives to commercial and residential customers for the installation of energy storage to enable load-shifting during times of peak demand E3.3 – Identify potential partnerships, funding, or financing sources for installing storage and microgrids in the community
Green Buildings (B)	B1: Improve Efficiency of Existing Buildings	X	B1.1 – Partner with existing agencies such as CPA, 3C-REN, SoCalREN, and/or the Ventura County Regional Energy Alliance (VCREA) to promote and take advantage of local energy programs; meet with these agencies on a quarterly basis
	B2: Electrify Buildings		B2.1 – Partner with existing agencies such as CPA, 3C-REN, and/or VCREA to promote and take advantage of local programs, including rebates and financing options for building and appliance electrification; meet with these organizations on a quarterly basis B2.3 – Work with electric utility to create an educational campaign for building owners on the health, climate, and cost benefits of electric-powered kitchen equipment, and distribute

			information about available products and installation services
Waste Reduction and Recycling (R)	R1: Recycling and Organic Waste Diversion	X	R.1 and R.2 - Continue to implement waste diversion mandates
Transportation (T)	T1: Expand Zero-Emission-Vehicle (ZEV) Charging and Fueling Infrastructure	X	T1.1 -Develop a citywide ZEV Master Plan that evaluates near-term and long-term needs for EV charging and hydrogen-fueling infrastructure, including home EV charging, and identifies optimal EV charging locations and gaps in publicly accessibility (especially for disadvantaged communities)
			T1.4 – Meet with utilities and state agencies quarterly to track and coordinate the promotion of funding offerings to Oxnard residents and businesses
	T2: Transition City Fleet to ZEVs	X	T2.1 – Develop a ZEV Master Plan for the City fleet that evaluates costs, budget needs and infrastructure needs for the short and long term, including optimal EV charging locations, funding opportunities, and opportunities for public-private partnerships.
			T2.2 - Pass a resolution that supports City fleet vehicle purchases (or at minimum, utility and truck purchases) to be ZEVs in alignment with the CARB's proposed regulation to require public fleets to purchase 100 percent zero-emissions trucks by the year 2027
	T3: Expand Infrastructure for Pedestrians, Bikes, and Micro-mobility Solutions	X	T3.1 – Adopt the forthcoming STP, which will include projects that expand the reach of the pedestrian and bicycle network throughout the city and provide comfortable opportunities to use active transportation
	T4: Improve Transit Effectiveness and Accessibility		T4.1 – Partner with GCTD and VCTC to assess current transit routes and identify opportunities for improvement geared towards Oxnard residents
			T4.2 – Partner with GCTD and VCTC to upgrade transit stops with weather protection, security

			measures, increased comfort and accessibility, and access to accurate information on transit routes, schedules, fares, connections, and destinations
			T4.5 – Partner with GCTD and VCTC to enhance multi-modal connections to transit facilities by implementing pedestrian and bicycle improvements near transit stops and mobility hubs, as identified in the STP
	T5: Expand Car and Bike Sharing	X	T5.1 - Consider updates to the TDM Ordinance to require encourage the development of TDM plans for all major developments or facility expansions to encourage ridesharing and other shared mobility improvements, thereby reducing vehicle trips
			T5.2 – Through the implementation of the forthcoming STP, potentially introduce an e-bikeshare, and/or EV carshare program that incentivize third-party providers to locate in Oxnard; offer reduced parking requirements for new development projects that provide dedicated carshare facilities
			T5.3 – Through implementation of the STP, identify support for and/or ways to expand access to e-bikeshare and neighborhood EVs to ultimately enable their use in the public right-of-way
Water Conservation and Reuse (W)	W1: Increase Water Conservation and Reuse	X	W1.1 – Maximize the use of recycled water or graywater for agricultural and for irrigation at all large new developments
Land Use (L)	L1: Support Transit-Oriented and Mixed Use Development	X	L1.1 – Through the forthcoming General Plan update, identify areas within the city where development should be focused to increase density and diversity of land use to achieve reductions in VMT

Planning Commission Input

On July 7, 2022, the Planning Commission held a study session on the CAAP (see Attachment 5). During the meeting staff provided clarity on specific minor edits to the CAAP in response to community input on the Draft CAAP document and previous Planning Commission comments which are broadly summarized as follows. These edits will be incorporated into the Final CAAP.

The Planning Commission supported revising the CAAP to address the following topic areas:

1. Update Executive Summary (ES) to describe actions the community can take to advance the City’s climate goals:
 - a. Final CAAP language will add “What the Community Can Do To Help” section and point to existing detail in Chapter 5.
2. Add aspirational language/sense of urgency within the ES and the opening text; reduce jargon throughout the plan. Final CAAP language will:
 - a. Revise language in ES to make it more accessible to the layperson, and review CAAP for terms that need explanation or can be reworded.
3. In Chapter 4, refine language on page 4-18 to acknowledge that Oxnard is susceptible to wildland fires along the riverbed. Final CAAP language will:
 - a. Remove statement “While Oxnard is not directly threatened by wildland fires...”
4. In Chapter 4, emphasize severity of State’s current drought & water shortage; include rainwater harvesting as strategy:
 - a. Rainwater catchment systems already included as action under Extreme Drought Strategy Extreme Drought (ED) 2 on page 4-19.
 - b. Final CAAP language will strengthen Strategy ED3 (drought tolerant landscaping) to specify rainwater harvesting as an alternative irrigation option.
 - c. Final CAAP language will expand Water Conservation and Reuse Strategy W1 to encourage rainwater catchment systems.
5. In Chapter 4, add climate emergency planning components for residents; include educational support to help form household plans and create support networks. The Final CAAP will:
 - a. Expand the Community Preparedness (CP) Strategy CP1 re: public education, emergency preparedness fairs, and networking on page 4-9.
6. In Chapter 4, consider allowing the use of greywater in the City. The Final CAAP will modify page 4-16 to capture the following:
 - a. Extreme Drought Strategy ED2 (expand community water recycling) on page 4-19 encourages the use of greywater and rainwater catchment systems.
 - b. Final CAAP will expand Water Conservation and Reuse Strategy (W) W1 on page 4-19 will be revised to encourage the installation of greywater reuse systems.
7. In Chapter 3, update the discussion pertaining to public EV charging The Final CAAP will be revised:
 - a. Transportation Action T1.1 on page 3-21 calls for developing a citywide Zero Emission Vehicle (ZEV) Master Plan.

- b. Final CAAP language will be enhanced on page 3-21 to encourage EV systems that are solar infrastructure reliant; and placement at all feasible placement locations (e.g., street light pole placement and right of way considerations).

During the July 7, 2022 Planning Commission meeting there were also comments and seven topic areas which required further discussion and analysis. However, during this meeting consensus was not achieved as compared to the items above.

The September 1, 2022 Planning Commission meeting was focused on reviewing these seven topic areas where, at the July 7 Planning Commission meeting, there was no consensus (see Attachment 2, September 1, 2022 staff report), and adopting a resolution recommending City Council approval of the CAAP.

Ultimately, the Commission's seven recommendations were paired down on Sept. 1st and memorialized within Exhibit A to the Planning Commission Resolution(see Attachment 2 - September 1, 2022 staff report Attachment 3, Resolution No. 2022-32). Staff recommends three (3) minor revisions to the CAAP as a result of the Commission's seven recommendations; the Commission was agreeable to these edits. In four of the seven cases, staff does not support changes to the CAAP; the Commission was agreeable to omitting the items from the resolution recommending CAAP approval. Those seven items, the Planning Commissions recommendation and staff recommendations in response to the Planning Commission recommendations, are noted below. Should the City Council agree with the Planning Commission or staff's recommendations, the changes will be included in the Final CAAP (see next steps section of this report).

The Planning Commission recommends that the City Council consider the following modifications to the City's Draft Climate Action and Adaptation Plan (CAAP):

1. Exceed the State GHG emission reduction target of 40 percent below 1990 levels by 2030.

Planning Commission suggested that the City's CAAP Revision: The City's CAAP should be revised to increase the GHG emission reduction target of 60% below 1990 levels by 2030. Funding should be reallocated to evaluate and reconsider reduction targets and policy changes to achieve GHG emission reduction targets of 60% below 1990 levels by 2030.

Staff Recommended Draft CAAP Revision: Staff disagrees with this change as City Council identified the desired percentage in March 2021 and changing this percentage would result in an approximately two (2) year delay in presenting the Final CAAP to the City Council but supporting language is recommended. Therefore, the City's CAAP should continue to set targets at 40% below 1990 levels.

However, staff does suggest additional language to address Commission input and the recent passage of Assembly Bill (AB) 1227 - Page 2-10 should be revised to state that the City's CAAP has an aspirational GOAL to achieve carbon neutrality by 2045, and will revisit the feasibility of that goal during the next CAAP update, and after the California Air Resources Board (CARB) has adopted its next Scoping Plan update. It is also recommended that the section acknowledge that additional updates may be necessary to adjust this target goal in the next CAAP update due to the recent passage of AB 1227.

2. Require Project Labor Agreements (PLA) as a way to reduce Vehicle Miles Traveled (VMT).

Planning Commission Suggested Draft CAAP Revision: The description of Strategy L1 on Page 3-30 should be revised to include PLA's as a way to reduce VMT: The City should consider requiring PLAs on development projects as a way to reduce VMT.

Staff Recommended Draft CAAP Revisions: Staff disagrees with this change as VMT is largely driven by land

use policy (density, mix of land uses), transit and pedestrian opportunities, and commuter trips but is agreeable to augmented language. Additionally, PLA's will not result in a reduction in customer VMT, or commercial/industrial VMT. Although a PLA could reduce VMT there are many other implications to PLAs that are not related to the CAAP and furthermore City Council has not established a PLA policy.

However, staff does suggest additional language to address Commission and community input - Page 3-30, Strategy L1 should be revised to acknowledge the relationship between VMT and land use policy (density, mix of uses), transit and pedestrian opportunities, and commuter trips.

3. The CAAP Implementation Plan Should Include Yearly Budget Recommendations on Renewable Expenditures.

Planning Commission Suggested Draft CAAP Revisions: The description of Implementation Steps on pages 5-5 and 5-6 should be revised to include a recommendation that the City's Fiscal Year budget allocate a \$1Million annually to implement CAAP near term actions, especially with consideration to the City's two-year Capital Improvement Program (CIP) process.

Staff Recommended Draft CAAP Revisions: It is not recommended that a specific percentage or dollar figure be included given that costs are not known at this time and State and Federal renewable energy resource funding is increasing. Appendix F to the CAAP identifies potential Federal, State, Regional and private funding sources for implementing elements of the CAAP.

However, staff does suggest additional language to address Commission input - Page 5-6, (funding bullet) should be augmented with language to state that the City will consider the CAAP in yearly departmental budgeting and CIP activities and seek out Federal & State funding opportunities where funding aligns with Council priorities and the CAAP programs.

4. The goal of 80% to 100% renewable energy should be required on City project sites for which lease agreements are being secured.

Planning Commission Suggested Draft CAAP Revisions: Action E1.5 on Page 3-9 should be revised to require that on City project sites for which lease agreements are being considered, energy must be procured through 80% to 100% renewable energy sources.

Staff Recommended Draft CAAP Revisions: Alternative language is not provided as staff does not recommend including this requirement, since the City's new accounts with Clean Power Alliance (CPA) are automatically enrolled in the 100% renewable level by default.

5. Require Solar Panels and Battery Storage on New Development over a Certain Size (such as multifamily buildings).

Planning Commission Suggested Draft CAAP Revisions: Battery storage should be required for single family and multifamily housing construction beginning Jan. 2024. In the year following City Council approval of the CAAP, the City should develop a program to stipulate conditions for which battery storage is required on single family and multi-family residential projects with consideration to project size.

Staff Recommended Draft CAAP Revisions: Alternative language is not provided as staff does not recommend including this requirement, since starting January 2023, the State building code will require new single family and in certain scenarios multi family homes and non-residential buildings to have a solar PV system and a battery storage system.

6. Accelerate the requirement for electrification of buildings through the adoption of reach codes that ban natural gas in new construction now, instead of relying on the State building code that requires electric ready

(new) construction effective January 1, 2023.

Planning Commission Suggested Draft CAAP Revisions: Implementing actions under Strategy B2 on page 3-17 should be revised to require that effective January 2023, the City ban the allowance of natural gas in new construction.

Staff Recommended Draft CAAP Revisions: Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and starting in January 2023 the State building code will have increasingly progressive energy storage and building electrification requirements for new homes and non-residential buildings.

7. A program or policy should be included in the CAAP to transition existing buildings away from gas to all-electric infrastructure. The use of natural gas should be phased out of use in the City.

Planning Commission Suggested Draft CAAP Revisions: Implementing actions under Strategy B2 on page 3-17 should be revised to ban the allowance of natural gas in existing Buildings.

Staff Recommended Draft CAAP Revisions: Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and the process of converting an existing building from gas to electric is complex and expensive. In addition, Strategy B2 includes Actions B2.1, B2.2 and B2.3 to support electrification of existing buildings.

Next Steps

In order to save fiscal resources (production of Final Draft CAAP prior to presentation of the document to Committee and City Council), once the CAAP is reviewed and approved by City Council, the CAAP will be revised to produce a Final CAAP which will be comprised of the following:

- Introductory comments from Mayor John Zaragoza;
- Planning Commission recommended edits (Exhibit A, to Resolution No. 2022-32 in Attachment 3 to the September 1, 2022 Planning Commission staff report (Attachment 2)) as approved by City Council;
- Suggested edits to CAAP as agreed upon by staff, and minor typos identified by the CAAP consultant as reflected within the July 2022 summary document in Attachment 2 to the September 2022 Planning Commission staff report (Attachment 2);
- Update to Chapter 5 to implementation GHG reduction actions and the timeframes as identified within this staff report;
- Incorporation of May 14, 2022 powerpoint presentation to the community during review of CAAP;
- Updated City of Oxnard photos; and
- Include the City Council approved resolution of approval.

Community Input and Notice

In early 2021 staff assembled a Stakeholder Group to help guide in the development and visioning of the CAAP document. The roughly 125 member stakeholder group was focused on the following topic/issue areas: Environmental, Businesses, Utilities & Franchisees/Agency Representatives, Community Organizations, Education and Health Care, and City Staff. Over the past two years, this group has been consulted and engaged to secure feedback and input. Due to the pandemic, outreach measures, approaches, and protocols had to be adjusted. Appendix A of the CAAP document summarizes community / stakeholder meeting efforts, dates and outcomes. The Final CAAP will include presentation information from the May 2022 community meetings.

These documents were not available at the time of publication of the Draft CAAP. These engagement efforts helped identify climate impacts of concern in the Community Vulnerability Assessment, and to identify effective CAAP strategies and actions for improving community resilience and reducing GHG emissions.

The City of Oxnard's Draft CAAP was released in late April 2022 and notification was sent to the City's CAAP interested parties list for a Stakeholder meeting held on May 5. Social media outreach efforts to the public also began on May 3 with media posts highlighting the release of the CAAP on the City's website, scheduled virtual drop in hours for May 9, and a virtual public meeting on May 14. Subsequent posts were released on the City of Oxnard's Official Instagram account on May 6, May 8, and May 13.

No notice of public hearing was required to be published in the newspaper ahead of the Planning Commission Study Session Meeting scheduled on July 7. A notice was sent to the City's CAAP interested parties list and the City's Public Information Office posted on social media to engage the public ahead of the meeting on July 5. A summary of community engagement efforts is contained in Attachment 6.

In preparation for the Committee Meeting on September 27 and the City Council meeting on October 18, social media posts will be released using the City's Public Information Office channels and through the City's CAAP website -<https://www.oxnard.org/climate-action-plan/>.

ENVIRONMENTAL REVIEW

The City Council certified the General Plan Program Environmental Impact Report (PEIRSCH # 2007041024) in October 2011, and addenda environmental evaluations were prepared for subsequent General Plan revisions. Pursuant to the CEQA Section 15164, the City has prepared an Addendum (see Attachment 2, Planning Commission Resolution of Approval) affirming that the analysis contained in the 2030 General Plan PEIR adequately addresses the potential environmental impacts associated with implementation of the CAAP. The CAAP is an implementing action of the 2030 General Plan. The previously certified PEIR may be viewed on the City's website at City of Oxnard 2030 General Plan PEIR Volume I, Recirculated Draft.

As demonstrated in the environmental analysis of the Addendum, none of the conditions that had been analyzed in the 2030 General Plan PEIR would change with adoption and implementation of the CAAP. Furthermore, no new information of substantial importance meeting the criteria listed in State CEQA Guidelines Section 15162 have been identified. The City has determined that there is no legal or evidentiary basis for the preparation of a Subsequent or Supplemental EIR pursuant to State CEQA Guidelines Sections 15162 and 15163, and that an Addendum to the 2030 General Plan PEIR, as contemplated by State CEQA Guidelines Section 15164, is the appropriate environmental document for the proposed project. The General Plan Addendum has been prepared in compliance with Public Resources Code Section 21000 et seq., and Title 14, Chapter 3 of the California Administrative Code (State CEQA Guidelines).

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

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, promote safe neighborhoods, encourage community engagement, and support our Planning Commission CAAP Staff Report September 1, 2022 residents in their efforts to improve their quality of life.

FINANCIAL IMPACT

There is no fiscal impact associated with adoption of the CAAP document; however, strategies and actions contained in the CAAP will have a financial impact. Funding will be needed in the future to implement the GHG reduction strategies and Climate Change Resilience and Adaptation Strategies.

The GHG reduction strategies and actions in the CAAP were formulated with an understanding that the City has limited staff time and financial resources to implement them. The cost-benefit ratios presented in Chapter 3 of the CAAP are based on the anticipated impact to the city budget, including any upfront capital investment needed to implement a strategy, ongoing annual costs, and City staff time required. Fiscal impacts of implementing the CAAP will require funding from General Fund and may be requested through City's CIP process.

For many of the actions, detailed cost estimates will be needed to inform and guide the implementation process, and be refined over time with more-precise implementation level data. One of the first recommended CAAP implementation measures will be to develop a fiscal analysis associated with implementation of key near term objectives. This fiscal analysis will assist the City in developing CAAP related budget documents to implement the CAAP over the next five (5) years.

The City's costs for implementation may include the creation or promotion of voluntary programs, continuing administration of those programs, coordination and outreach with other government agencies and businesses, hiring staff to lead the actions and/or track and prepare grant applications, and—in some cases—exploration or study of potential regulatory mechanisms not yet codified. Some strategies require up-front capital expenditures by the City. The CAAP recognizes the value of leveraging partnerships, seeking grants, and evaluating funding sources. Further, the CAAP should be updated every five (5) years to evaluate the effectiveness of programs, changes in technologies, and to reflect new land use patterns - especially considering the City will embark upon an update to the City's General Plan which will kick off in early 2023 and will take approximately three (3) to four (4) years to completed.

Prepared by: Kathleen Mallory, Planning & Sustainability Manager

ATTACHMENTS

1. CAAP CAAP-Public-draft-2022.pdf (oxnard.org)
2. September 1, 2022 Planning Commission Staff Report (Attachment 1 removed due to duplication)
3. March 30, 2021 City Council Staff Report
4. January 25, 2022 Committee Staff Report
5. July 7, 2022 Planning Commission staff report (Attachment A, B, and D removed due to duplication)
6. Summary of Community Input

Attachment 1

See <https://www.oxnard.org/climate-action-plan>

City of Oxnard's Climate Action and Adaptation Plan

The City's Climate Action and Adaptation Plan can be downloaded [here](#). This document will be reviewed by the Committees and considered by the City Council in Fall 2022.

You can download the [Climate Action and Adaptation Plan here](#).

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Kathleen Mallory, AICP, Planning & Sustainability Manager

DATE: September 1, 2022

SUBJECT: Planning Commission Adoption of a Resolution Recommending City Council approval of the City of Oxnard Climate Action and Adaptation Plan and an Addendum to the 2030 General Plan Program Environmental Impact Report (PEIR; SCH # 2007041024).

1) Recommendation: That the Planning Commission:

- a) Receive a presentation on the Climate Action and Adaptation Plan (CAAP); and
- b) Receive public comments on the Draft CAAP document; and
- c) Approve Resolution 2022-XX recommending City Council adopt the CAAP and the Addendum to the PEIR.

2) Background: On July 7, 2022, the Planning Commission conducted a public meeting on the aforementioned CAAP (see Attachment 1 - Full July 7, 2022 PC Packet). Additional background on the CAAP process is provided in the Planning Commission staff report for the July 7, 2022 study session, and on the City's CAAP webpage at <https://www.oxnard.org/climate-action-plan/>. At the July 7, 2022 Planning Commission meeting, the Planning Commission received a presentation from the City's CAAP consultant on the Draft CAAP document; received public comment on the Draft CAAP document; and provided feedback on the Draft CAAP document. During the meeting there was a dialogue between the Commission, and Planning as well as Public Works Staff, and the City's CAAP consultant; only discussion items which result in change to the CAAP document or which require further dialogue between the Commission are being discussed in this report. Input from the Planning Commission meeting falls into two categories: Commission input for which there appeared to be general consensus (see Attachment 2) and input for which recommendations and suggested CAAP revision language requires further discussion; See analysis of this staff report and the resolution of approval. (see Attachment 3, Exhibit A, to the Resolution Recommending Approval of the CAAP).

3) Analysis: Based upon discussion during the July 7, 2022 meeting, the Planning Commission generally had consensus with the following CAAP text revisions:

Revisions to the Draft CAAP for Which There was Consensus (in addition to Attachment 2 - Revisions Due to July 7, 2022 Commission Meeting):

- Update the Executive Summary section of the CAAP to include information on what actions the community can do to advance the City's climate goals (presently on pages 5-2 and 5-3 of the CAAP, including Table 5-1). *Staff comment: We will add a section at the end, as part of the implementation section of the Executive Summary, titled "What the Community Can Do To Help" to highlight the critical role that the community will play in helping the City attain its GHG reduction goal. We will point to Table 5-1, and also add a sidebar that emphasizes little investments that the community can make that yield significant reductions in GHG emissions, including those listed for Clean Energy, Transportation, and Waste Reduction and Recycling in Table 5-1. We will include the associated icon for each of these actions so they stand out and relate back to the GHG reduction strategies summarized in the Executive Summary.*
- Add aspirational language and a sense of urgency within the Executive Summary and the opening text. Reduce jargon to make the plan more usable to the public. *Staff comment: The CAAP is a planning document which identifies that climate change is happening and identifies targets and implementation measures for reducing the City's impact on climate change and strengthening the community's resilience. The CAAP is not intended to incite alarm or make claims that potential impacts are imminent. Additional discussion on this topic is provided under Comments 10 and 11 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). With respect to the comment related to reducing jargon, we recognize that part of the CAAP is technical in nature, such as Chapter 3, which describes where the City's GHG emissions are coming from. Nevertheless, we understand the importance of writing for the layperson. We have included a Terms and Abbreviations section upfront in the CAAP before the Executive Summary, and have tried to avoid technical jargon, or define such terms and references in a sidebar within the chapter. For example, on page 1-2 where we cite relevant legislation related to the CAAP, we define the bills in a text box (e.g., SB 379). Similarly, some figures are designed to illustrate technical concepts, such as Figure 1-2 The Greenhouse Effect. We will review the CAAP again for terms that need explanation or sidebar definitions, and reword terms as appropriate to be more accessible to the layperson.*
- Refine wildfire language on page 4-18 regarding how Oxnard is threatened by wildfires; Oxnard is susceptible to wildland fires along the riverbed, which could reach Oxnard. *Staff comment: We will remove the beginning of the text on page 4-18, to remove "While Oxnard is not directly threatened by wildland fires."*
- Incorporate language that recognizes the current water shortage that the State is experiencing due to climate change. Potentially include rainwater harvesting mechanisms to address shortage, such as rainwater collection from rain gutters. *Staff comment: Rainwater catchment systems are already identified as part of*

Strategy ED2 on page 4-19, which includes an action to distribute informational materials to encourage the use of greywater and rainwater catchment systems for businesses and residents. We can strengthen a related strategy (ED3) to specify rainwater harvesting as an example of alternative irrigation, in addition to the other methods listed to reduce water use, including the planting of drought tolerant, native plants. We can also add an implementing action to Strategy W1: Increase Water Conservation and reuse to encourage the installation of rainwater catchment systems as a means of reducing water consumption.

- Add a resilience, emergency planning component for individual residents. Provide educational support to help residents form a plan for their households, and how to create a network of people who can each provide a necessary item for survival. *Staff comment: Public education is the first strategy (CP1) in the Community Preparedness section in the CAAP. Strategy CP1 on page 4-9 will be expanded to include the suggestions mentioned by the Commission, such as emergency preparedness fairs and networking.*
- The City should consider allowing the use of greywater in the City. *Staff comment: The California Plumbing Code allows use of greywater in certain circumstances. Strategy ED2 on page 4-19 is focused on expanding community water recycling programs, which includes distributing informational materials to encourage the use of greywater and rainwater catchment systems for businesses and residents to enhance the effectiveness of community water recycling programs. This strategy will be strengthened to encourage the expansion of greywater use within the City. We will also add an implementing action to Strategy W1: Increase Water Conservation and reuse to encourage the installation of greywater reuse systems as a means of reducing water consumption.*
- Rollout a plan to implement public Electric Vehicle (EV) charging stations and require EV chargers for handicap parking spaces. *Staff comment: The CAAP includes a goal of 1,500 new EV charging stations by 2030. EV charging is currently allowed within handicapped parking spaces (providing adequate accessibility clearance is achieved). The City has adopted EV accommodation measures consistent with California AB 1236 (2015) and AB 970 (2021) to streamline permitting procedures for electric vehicle charging stations. Additional information on this topic is provided under Comment 15, 21 & 43 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). Text pertaining to the City's ZEV Master Plan will be augmented to encourage looking at: EV systems which are solar infrastructure reliant; and all feasible placement locations, including California Building Code compliant placement measures (e.g., street light pole placement and right of way considerations).*

CAAP Revision Language Requiring Further Commission Discussion (Attachment 3, Exhibit A):

1. Exceed the State GHG emission reduction target of 40% below 1990 levels by 2030. Consider increasing this to 50% or 60% below 1990 levels by 2030. *Staff comment: The City Council identified the desired percentage in March 2021. Changing this percentage would result in an approximately two (2) year delay in presenting the Final CAAP to the City Council. Additional discussion on this topic is provided under Comment 62 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). Further, the City's established reduction target is a goal and could be exceeded at any time in the next five (5) years.*

Nevertheless, Exhibit A to Attachment 3 includes language to address Commission input.

Alternative language is suggested: Staff is in support of adding the following text to page 2-10 in the document: "The City's CAAP has an aspirational GOAL to achieve carbon neutrality by 2045, and will revisit the feasibility of that goal during the next CAAP update, and after the California Air Resources Board (CARB) has adopted its next Scoping Plan update."

2. Project labor agreements (PLA) should be required in order to reduce Vehicle Miles Traveled (VMT). *Staff comment: It is not recommended to require PLA's on projects given that VMT is largely driven by land use policy (density, mix of land uses), transit and pedestrian opportunities, and commuter trips. Additionally, PLA's will not result in a reduction in customer VMT, commercial/industrial VMT. More information on VMT will be communicated to the Planning Commission during a study session which will occur later this year. Additional information on this topic is provided under Comment 36 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet).*

Nevertheless, Exhibit A to Attachment 3 includes language to address Commission input.

Alternative language is suggested: The strategy description for L1 on page 3-30 is recommended to be revised to acknowledge the impact that land use, transit, pedestrian access, mobility, and density have in impacting VMT and sustainability goals.

3. Include a recommendation that the City's Fiscal Year budget allocate \$1Million annually to implement CAAP near term actions. *Staff comment: It is not recommended that a specific percentage or dollar figure be included given that costs are not known at this time and State and Federal renewable energy resource funding is increasing. Appendix F to the CAAP identifies potential Federal, State, Regional and private funding sources for implementing elements of the CAAP.*

Nevertheless, Exhibit A to Attachment 3 includes language to address Commission input.

Alternative language is suggested: The Implementation Steps section on pages 5-5 and 5-6 is recommended to be revised to encourage the City Council to continue implementing CAAP related programs on a yearly basis through funding of departmental goals, policies, and CAAP measures.

4. On City project sites for which lease agreements are being considered, require renewable energy usage on a site in the 80% to 100% range. *Staff comment: The City procures energy from the Clean Power Alliance (CPA). The City selected the 100% renewable level for all CPA accounts within the City (other than the City's enterprise accounts); project sites and accounts are automatically enrolled in this percentage unless they opt down to a lower energy tier or out of the CPA program. If energy is procured from Southern California Edison (SCE) for certain accounts, the content of renewable energy will gradually increase as required by the Public Utility Commission pursuant to SB100 and the Renewables Portfolio Standard. Additional information on this topic is provided under Comment 64 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). The CAAP established Strategy E.1 to procure zero-carbon electricity from the CPA; therefore, no CAAP change is recommended.*

Nevertheless, Exhibit A to Attachment 3 includes the Commission's recommended input.

Alternative language is not provided as staff does not recommend including this additional language for the reasons communicated under "staff comment", above.

5. Require solar panels and battery storage on new development projects over a certain size (such as multifamily buildings). This would be a step towards transitioning to renewables. *Staff comment: The California Building Code requires solar panels on new single-family residential homes; this will also be required on multi-family housing with certain characteristics and nonresidential buildings for select businesses effective Jan. 2023. Starting January 2023, all buildings required to have a PV system shall also be required to have a battery storage system. As such, the State is already moving in the direction of requiring solar and battery storage in new construction.*

Nevertheless, Exhibit A to Attachment 3 includes the Commission's recommended input, which staff recognizes was provided without a full understanding of California energy code requirements and stipulations.

Alternative language is not provided as staff does not recommend including this requirement, since starting January 2023, the State building code will require new single family and in certain scenarios multi family homes and non-residential buildings to have a solar PV system and a battery storage system.

6. Accelerate the requirement for electrification of new buildings through the adoption of reach codes that ban natural gas in new construction now. In discussion at the Commission meeting, members of the Commission and a few members of the public stated that the City would lose an opportunity to decarbonize buildings if it waited five (5) years to review the CAAP and revise it to implement this requirement. *Staff comment: California's building energy efficiency standards (Title 24, Part 6) will require construction of new homes and multifamily dwellings to be 'electric ready' effective January 1, 2023 (electric ready means that each house built in California after 2022 will either have electrical circuits that can support all appliances or dedicated circuits and panels to easily convert from natural gas to electric in the future). There are also new requirements for energy storage systems in commercial buildings, but electric ready is not required for new commercial or industrial buildings. Future energy and building code updates are expected to have even more progressive building electrification requirements. While the City recognizes that building electrification is beneficial from a GHG reduction perspective, it also sees the need to retain natural gas as a reliable energy source for times when the electricity grid is disrupted, at least for the foreseeable future until adequate local energy storage capacity is developed. The City of Oxnard's population is considered an at risk population, where power redundancy and energy security is needed for the City's population.*

The Draft CAAP demonstrates that the City can achieve its 2030 GHG target without instituting an electrification reach code, aka the banning of use of gas in new construction. Additional information on this topic is provided under Comment 20 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet).

Nevertheless, Exhibit A to Attachment 3 includes the Commission input.

Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and starting in January 2023 the State building code will have increasingly progressive energy storage and building electrification requirements for new homes and non-residential buildings.

7. A program or policy should be included in the CAAP to transition existing buildings away from gas to all-electric infrastructure. The use of natural gas should be phased out of use in the City. *Staff comment: Strategy B2 includes implementing actions to seek funding and partnerships for transitioning existing buildings to electrification. The State is also implementing climate goals and it is likely that in the future the State will be developing a retrofit protocol and/or including incentives to encourage the transition of existing gas infrastructure to electric. The process of converting an existing building from gas to electric is a significant one - and includes added building retrofit costs (plumbing a dryer from gas to electric for example), and involves substantial implementation challenges and*

questions. Furthermore, while the City recognizes that building electrification is beneficial from a GHG reduction perspective, it also sees the need to retain natural gas as a reliable energy source for times when the electricity grid is disrupted, at least for the foreseeable future until adequate local energy storage capacity is developed. The City of Oxnard's population is considered an at risk population, where power redundancy and energy security is needed for the City's population. Additional information on this topic is provided under Comment 20 of the CAAP Stakeholder and Community Comment Letters (Attachment 2).

The Draft CAAP demonstrates that the City can achieve its 2030 GHG target without banning the use of natural gas in existing buildings.

Nevertheless, Exhibit A to Attachment 3 includes the Commission input.

Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and the process of converting an existing building from gas to electric is complex and expensive. In addition, Strategy B2 includes Actions B2.1, B2.2 and B2.3 to support electrification of existing buildings.

- 4) California Environmental Quality Act (CEQA) Review:** The General Plan Program Environmental Impact Report was certified in 2011. Since then, addenda environmental evaluations were prepared for subsequent General Plan revisions. Pursuant to the CEQA Section 15164, the City has prepared an Addendum (attached to Attachment 3) affirming that the analysis contained in the 2030 General Plan PEIR adequately addresses the potential environmental impacts associated with implementation of the CAAP. The CAAP is an implementing action of the 2030 General Plan. The previously certified PEIR may be viewed on the City's website at City of Oxnard 2030 General Plan PEIR Volume I, Recirculated Draft.

As demonstrated in the environmental analysis of the Addendum, none of the conditions that had been analyzed in the 2030 General Plan PEIR would change with adoption and implementation of the CAAP. Furthermore, no new information of substantial importance meeting the criteria listed in State CEQA Guidelines Section 15162 have been identified. The City has determined that there is no legal or evidentiary basis for the preparation of a Subsequent or Supplemental EIR pursuant to State CEQA Guidelines Sections 15162 and 15163, and that an Addendum to the 2030 General Plan PEIR, as contemplated by State CEQA Guidelines Section 15164, is the appropriate environmental document for the proposed project. The General Plan Addendum has been prepared in compliance with Public Resources Code Section 21000 et seq., and Title 14, Chapter 3 of the California Administrative Code (State CEQA Guidelines).

- 5) Community Outreach:** The City has held numerous workshops and public outreach on the CAAP. A list of outreach events is provided in the July 7, 2022 Planning Commission CAAP Staff Report.

Attachments:

1. July 7, 2022 Planning Commission staff report Planning Commission CAAP Staff Report July 7, 2022, including CAAP CAAP-Public-draft-2022.pdf (oxnard.org)
2. July 7, 2022 Planning Commission Agreed upon Draft CAAP Revisions
3. Resolution of Approval, Including Exhibit A - Commission Recommendations for City Council - Including Addendum No. 1 to the PEIR for 2030 General Plan

Attachment 1

July 7, 2022 Planning Commission Staff Report

Planning Commission CAAP Staff Report July 7, 2022, including CAAP CAAP-
Public-draft-2022.pdf (oxnard.org)

Removed to avoid duplication

Attachment 2

July 7, 2022 Planning Commission Agreed upon Draft CAAP Revisions

Attachment 2

Category	Comment Number & Document	Date	Name	Contact info	Stakeholder or Member of the public	Comment	Proposed Action by Commenter	Relevant Chapter	Response to Comment	Action to be Taken
	87	7/7/22				Incorporate the water shortage into EB3. Potentially including rainwater harvesting			Staff will expand Potential Adaptation Strategy ED3 (Page 4-19), which discusses use of drought tolerant, native plants and alternative irrigation, to include these recommendations.	
	88	7/6/22, via email	Steve Nash	Kathleen Mallory	Planning Commissioner	Change Pg. 4-3 - change text from "homeless" to "unhoused"		Chapter 4	Will make change	Relevant section will be amended
	89	7/6/22, via email	Steve Nash	Kathleen Mallory	Planning Commissioner	Change Pg. 4-32 - insert "high" after "particularly".		Chapter 4	Will make change	Relevant section will be amended
	100	7/7/22			Commissioner	Update the Executive Summary section of the CAAP to include information on what actions the community can do to advance the City's climate goals (presently on pages 5-2 and 5-3 of the CAAP, including Table 5-1)	Action: Update the Executive Summary section of the CAAP to include information on what actions the community can do to advance the City's climate goals (presently on pages 5-2 and 5-3 of the CAAP, including Table 5-1)	ES	Staff will add a section at the end, as part of the implementation section of the Executive Summary, titled "What the Community Can Do To Help" to highlight the critical role that the community will play in helping the City attain its GHG reduction goal. We will point to Table 5-1, and also add a sidebar that emphasizes little investments that the community can make that yield significant reductions in GHG emissions, including those listed for Clean Energy, Transportation, and Waste Reduction and Recycling in Table 5-1. We will include the associated icon for each of these actions so they stand out and relate back to the GHG reduction strategies summarized in the Executive Summary.	Relevant section will be included
	101	7/7/22			Commissioner	Add aspirational language and a sense of urgency within the Executive Summary and the opening text. Reduce jargon to make the plan more usable to the public	Add aspirational language and a sense of urgency within the Executive Summary and the opening text. Reduce jargon to make the plan more usable to the public	ES	The CAAP is a planning document which identifies that climate change is happening and identifies targets and implementation measures for reducing the City's impact on climate change and strengthening the community's resilience. The CAAP is not intended to incite alarm or make claims that potential impacts are imminent. Additional discussion on this topic is provided under Comments 10 and 11 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). With respect to the comment related to reducing jargon, we recognize that part of the CAAP is technical in nature, such as Chapter 3, which describes where the City's GHG emissions are coming from. Nevertheless, we understand the importance of writing for the layperson. We have included a Terms and Abbreviations section upfront in the CAAP before the Executive Summary, and have tried to avoid technical jargon, or define such terms and references in a sidebar within the chapter. For example, on page 1-2 where we cite relevant legislation related to the CAAP, we define the bills in a text box (e.g., SB 379). Similarly, some figures are designed to illustrate technical concepts, such as Figure 1-2 The Greenhouse Effect. We will review the CAAP again for terms that need explanation or sidebar definitions, and reword terms as appropriate to be more accessible to the layperson.	Technical language will be defined or edited as appropriate
	101	7/7/22			Commissioner	Refine wildfire language on page 4-18 regarding how Oxnard is threatened by wildfires; Oxnard is susceptible to wildland fires along the riverbed, which could reach Oxnard	Refine wildfire language on page 4-18 regarding how Oxnard is threatened by wildfires to not suggest that the City is not susceptible to wildfire at all.	Chapter 4	We will remove the beginning of the text on page 4-18, to remove "While Oxnard is not directly threatened by wildland fires.	Text will be edited as noted in response to comment
	103	7/7/22			Commissioner	Incorporate language that recognizes the current water shortage that the State is experiencing due to climate change. Potentially include rainwater harvesting mechanisms to address shortage, such as rainwater collection from rain gutters.	Augment Strategies ED3 and W1 to include rainwater harvesting mechanisms as a strategy to conserve water.	Chapters 3 and 4	Rainwater catchment systems are already identified as part of Strategy ED2 on page 4-19, which includes an action to distribute informational materials to encourage the use of greywater and rainwater catchment systems for businesses and residents. We can strengthen a related strategy (ED3) to specify rainwater harvesting as an example of alternative irrigation, in addition to the other methods listed to reduce water use, including the planting of drought tolerant, native plants. We can also add an implementing action to Strategy W1: Increase Water Conservation and reuse to encourage the installation of rainwater catchment systems as a means of reducing water consumption.	Text will be added as noted in response to comment
	104	7/7/22			Commissioner	Add a resilience, emergency planning component for individual residents. Provide educational support to help residents form a plan for their households, and how to create a network of people who can each provide a necessary item for survival.	Augment Strategy CP1 on page 4-9 to provide educational support to help residents form a plan for their households and understand how to create a network of people who can each provide a necessary item for survival.	Chapter 4	Public education is the first strategy (CP1) in the Community Preparedness section in the CAAP. Strategy CP1 on page 4-9 will be expanded to include the suggestions mentioned by the Commission, including emergency preparedness fairs and networking.	Text will be added as noted in response to comment
	105	7/7/22			Commissioner	The City should consider allowing the use of greywater in the City.	Augment Strategy ED2 and Strategy W1 to encourage the installation of greywater reuse systems as a means of reducing water consumption.	Chapters 3 and 4	The California Plumbing Code allows use of greywater in certain circumstances. Strategy ED2 on page 4-19 is focused on expanding community water recycling programs, which includes distributing informational materials to encourage the use of greywater and rainwater catchment systems for businesses and residents to enhance the effectiveness of community water recycling programs. This strategy will be strengthened to encourage the expansion of greywater use within the City. We can also add an implementing action to Strategy W1: Increase Water Conservation and reuse to encourage the installation of greywater reuse systems as a means of reducing water consumption.	Text will be added as noted in response to comment

Attachment 2

Category	Comment Number & Document	Date	Name	Contact info	Stakeholder or Member of the public	Comment	Proposed Action by Commenter	Relevant Chapter	Response to Comment	Action to be Taken
	106	7/7/22			Commissioner	Rollout a plan to implement public Electric Vehicle (EV) charging stations, and require EV chargers for handicap parking spaces.		Chapter 3	The CAAP includes a goal of 1,500 new EV charging stations by 2030. EV charging is currently allowed within handicapped parking spaces (provide adequate accessibility clearance is achieved). The City has adopted EV accommodation measures consistent with California AB 1236 (2015) and AB 970 (2021) to streamline permitting procedures for electric vehicle charging stations. Additional information on this topic is provided under Comment 15, 21 & 43 of the CAAP Stakeholder and Community Comment Letters (Attachment 2 to July 7, 2022 Planning Commission Packet). Text pertaining to the City's ZEV Master Plan will be augmented to encourage looking at: EV systems which are solar infrastructure reliant; and all feasible placement locations, including California Building Code compliant placement measures (e. g., street light pole placement and right of way considerations).	Text will be added as noted in response to comment

Attachment 3

Resolution of Approval, Including Exhibit A – Commission Recommendations
for City Council – Including Addendum No. 1 to the PEIR for 2030 General Plan

RESOLUTION NO. 2022 – _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL APPROVE THE ADDENDUM TO THE 2030 GENERAL PLAN CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR; SCH # 2007041024) AND THE CLIMATE ACTION AND ADAPTATION PLAN (CAAP). FILED BY CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, Government Code Section 65300 requires each legislative body and planning agency to prepare and adopt a comprehensive, long-term general plan for the physical development of the city and any land outside its boundaries which in the planning agency's judgment bears relation to its planning; and

WHEREAS, the State of California Senate Bill 32 (SB 32) calls for a statewide reduction of Greenhouse Gas (GHG) emissions to 40 percent below 1990 levels by 2030; and

WHEREAS, the State of California SB 379 requires for the City to identify the threats the City faces with climate change and provide a list of recommended strategies to address climate change; and

WHEREAS, the City of Oxnard 2030 General Plan was adopted on October 11, 2011; and the operative documents of the Oxnard 2030 General Plan consist of the (1) Background Report (2006), and the (2) Goals and Policies (2011); and

WHEREAS, in 2011 the City of Oxnard City Council certified the 2030 General Plan Program Environmental Impact Report (SCH #2007041024); and

WHEREAS, pursuant to the California Quality Act Guidelines Section 15164, the City has prepared an Addendum affirming that the analysis contained in the 2030 General Plan PEIR adequately addresses the potential environmental impacts associated with implementation of the Final CAAP; and

WHEREAS, the City of Oxnard 2030 General Plan includes a Sustainable Community (SC) Element that draws from SB32 and directs the development of a CAAP with the following Goals:

- SC-1.2 – Support Statewide Global Warming and Climate Change Mitigation: Continue to monitor and support the efforts of the California Air Resources Board and other agencies as they formulate Global Warming and Climate Change adaptation and mitigation strategies and programs.
- SC-1.3 – Develop a Climate Action and Adaptation Plan (CAAP) That Supports the Regional SB 375 Sustainable Communities Strategy: Develop a Climate Action and Adaptation Plan that implements requirements adopted by the California Air Resources Board and/or the Ventura County APCD that establishes a GHG emissions qualitative and quantitative threshold of significance, establishes GHG

reduction targets, and supports the regional SB 375 Sustainable Communities Strategy. See -

<https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Appendix-06.2017-SM.pdf> (page 44 of pdf - Page 2-11 of 2030 General Plan document); and

WHEREAS, proposed CAAP has been developed to align with California's statewide target mandated of SB 32, which requires the State of California to reduce GHG emissions 40 percent below 1990 levels by 2030; and

WHEREAS, Since 2021, City Staff held rounds of virtual stakeholder meetings with participants to discuss global climate change concerns, including vulnerable communities, and actions to consider for reducing GHGs in Oxnard. Six stakeholder group meetings were held during this time frame. Virtual public workshops (conducted in both English and Spanish, including translation of PowerPoints) were conducted on May 17 and 22, 2021 asking a series of questions regarding the CAAP to identify the climate change impacts of most concern to the community and to gather ideas about the best ways to reduce GHGs in the community. Approximately 60 members of the public participated during these two public workshops. Staff also released an online survey from May 1, 2021 through May 31, 2021 in English and Spanish to request public input on key CAAP questions. These engagement efforts helped identify climate impacts of concern in the community vulnerability assessment, and to identify effective CAAP strategies and actions for improving community resilience and reducing greenhouse gas emissions; and

WHEREAS, on January 25, 2022, City Staff presented a report to the Community Services, Public Safety, Housing & Development Committee ("Committee") on the City's CAAP including identification of a reduction percentage in compliance with State law. The report summarizes GHG reduction strategies, and provided the Committee with an update on stakeholder and community input; and

WHEREAS, on January 26, 2021, and January 27, 2021, City Staff held a second round of Virtual Stakeholder meetings with 40 to 50 participants to: (1) Gather input on community vulnerabilities to climate change and potential strategies to address vulnerability; and (2) improve the understanding of community experience with climate change hazards and social vulnerability and equity. Five stakeholder group meetings were held during this time; and

WHEREAS, the City prepared a draft CAAP that was made available to the public for initial review and comment between April 26, 2022 and June 1, 2022; and

WHEREAS, on May 5, 2022 staff conducted a virtual public workshop where the Draft CAAP was reviewed. Members of the City's CAAP stakeholder group provided verbal comments on the document along with written comments; and

WHEREAS, on May 9, 2022 staff conducted virtual drop in office hours where community members were encouraged to "drop by" at any time to receive information and ask questions; and

WHEREAS, on May 14, 2022 staff held a virtual community workshop where the Draft CAAP was presented and participants were able to provide input; and

WHEREAS, the Planning Commission held a public meeting on July 7, 2022 to review and provide input on the CAAP. At the July 7th meeting, the Planning Commission received a presentation from the City's CAAP consultant on the Draft CAAP document; received public comments on the Draft CAAP document; and provided feedback on the Draft CAAP document; and

WHEREAS, the Planning Commission held a public meeting on September 1, 2022 to consider approving a resolution recommending that the City Council of the City of Oxnard approve an Addendum to the 2030 General Plan Program Environmental Impact Report (PEIR; SCH # 2007041024 - Addendum No. 1), including recommended changes to the Draft CAAP document (see Exhibit A).

NOW, THEREFORE, the Planning Commission of the City of Oxnard hereby resolves as follows:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into the operative provisions of this Resolution.

Section 2. The Planning Commission recommends that the City Council approve an Addendum to the 2030 General Plan Program Environmental Impact Report (SCH # 2007041024) and approve the City's CAAP, with suggested edits as identified in Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of September 2022, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Daniel Chavez Jr., Chair

ATTEST: _____
Joe Pearson II

Exhibit A

The Planning Commission recommends that the City Council consider the following modifications to the City's Draft Climate Action and Adaptation Plan (CAAP):

1. Exceed the State GHG emission reduction target of 40 percent below 1990 levels by 2030.

Planning Commission Suggested Draft CAAP Revision - The City's CAAP should be revised to increase the GHG emission reduction target of 60% below 1990 levels by 2030. Funding should be reallocated to evaluate and reconsider reduction targets and policy changes to achieve GHG emission reduction targets of 60% below 1990 levels by 2030.

Staff Recommended Draft CAAP Revision - The City's CAAP should continue to set targets at 40% below 1990 levels. However, page 2-10 should be revised to state that the City's CAAP has an aspirational GOAL to achieve carbon neutrality by 2045, and will revisit the feasibility of that goal during the next CAAP update, and after the California Air Resources Board (CARB) has adopted its next Scoping Plan update.

2. Require Project Labor Agreements (PLA) as a way to reduce Vehicle Miles Traveled (VMT).

Planning Commission Suggested Draft CAAP Revision - The description of Strategy L1 on Page 3-30 should be revised to include PLA's as a way to reduce VMT: The City should consider requiring PLAs on development projects as a way to reduce VMT.

Staff Recommended Draft CAAP Revisions - The description of Strategy L1 on page 3-30 should be revised to acknowledge the relationship between VMT and land use policy (density, mix of uses), transit and pedestrian opportunities, and commuter trips.

3. The CAAP Implementation Plan Should Include Yearly Budget Recommendations on Renewable Expenditures.

Planning Commission Suggested Draft CAAP Revisions - The description of Implementation Steps on pages 5-5 and 5-6 should be revised to include a recommendation that the City's Fiscal Year budget allocate a \$1Million annually to implement CAAP near term actions, especially with consideration to the City's two-year Capital Improvement Program (CIP) process.

Staff Recommended Draft CAAP Revisions - The implementation section, pages 5-5 and 5-6 encourages the City Council to continue implementing CAAP related programs on a yearly basis through funding of departmental goals, policies, and CAAP measures.

4. 80% to 100% renewable energy should be required on City project sites for which lease agreements are being secured.

Planning Commission Suggested Draft CAAP Revisions - Action E1.5 on Page 3-9 should be revised to require that on City project sites for which lease agreements are being considered, energy must be procured through 80% to 100% renewable energy sources.

Staff Recommended Draft CAAP Revisions - Alternative language is not provided as staff

does not recommend including this requirement, since the City's new accounts with Clean Power Alliance (CPA) are automatically enrolled in the 100% renewable level by default.

5. Require Solar Panels and Battery Storage on New Development over a Certain Size (such as multifamily buildings).

Planning Commission Suggested Draft CAAP Revisions - Battery storage should be required for single family and multifamily housing construction beginning Jan. 2024. In the year following City Council approval of the CAAP, the City should develop a program to stipulate conditions for which battery storage is required on single family and multi-family residential projects with consideration to project size.

Staff Recommended Draft CAAP Revisions - Alternative language is not provided as staff does not recommend including this requirement, since starting January 2023, the State building code will require new single family and in certain scenarios multi family homes and non-residential buildings to have a solar PV system and a battery storage system.

6. Accelerate the requirement for electrification of buildings through the adoption of reach codes that ban natural gas in new construction now, instead of relying on the State building code that requires electric ready (new) construction effective January 1, 2023.

Planning Commission Suggested Draft CAAP Revisions - Implementing actions under Strategy B2 on page 3-17 should be revised to require that effective January 2023, the City ban the allowance of natural gas in new construction.

Staff Recommended Draft CAAP Revisions - Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and starting in January 2023 the State building code will have increasingly progressive energy storage and building electrification requirements for new homes and non-residential buildings.

7. A program or policy should be included in the CAAP to transition existing buildings away from gas to all-electric infrastructure. The use of natural gas should be phased out of use in the City.

Planning Commission Suggested Draft CAAP Revisions - Implementing actions under Strategy B2 on page 3-17 should be revised to ban the allowance of natural gas in existing buildings.

Staff Recommended Draft CAAP Revisions - Alternative language is not provided as staff does not recommend including this additional language, since for the foreseeable future natural gas is needed to provide critical energy resilience, and the process of converting an existing building from gas to electric is complex and expensive. In addition, Strategy B2 includes Actions B2.1, B2.2 and B2.3 to support electrification of existing buildings.

Addendum No. 1 to PEIR; SCH # 2007041024

Draft City of Oxnard General Plan Update Addendum to the PEIR SCH # 2007041024

Prepared for
City of Oxnard

August 2022

Prepared by

550 Kearny Street
Suite 800
San Francisco, CA 94108
415.896.5900
esassoc.com



Bend	Orlando	San Jose
Camarillo	Pasadena	Santa Monica
Delray Beach	Petaluma	Sarasota
Destin	Portland	Seattle
Irvine	Sacramento	Tampa
Los Angeles	San Diego	
Oakland	San Francisco	

D201901210.00

TABLE OF CONTENTS

Addendum to Program Environmental Impact Report (PEIR)

SCH # 2007041024 prepared for the City of Oxnard General Plan Update

	<u>Page</u>
I. Introduction and Background	1
II. CEQA Authority for the Addendum Analysis Document	2
III. Project Description	3
A. Project Location and Setting	3
B. Purpose and Objectives	6
C. Relationship to Other Plans	6
D. Relationship to Statewide Emissions Targets	7
E. Contents of the Climate Action and Adaptation Plan	9
F. Qualified Greenhouse Gas Emissions Reduction Plan	27
G. CAAP Monitoring and Reporting	29
IV. General Plan and Certified PEIR	30
V. Comparative Analysis of Impacts	32
VI. Changed Circumstances	51
A. Conclusion Regarding Addendum as an Appropriate Mechanism	52
VI. References Cited	53

Appendices

- A. Draft City of Oxnard Climate Action and Adaptation Plan

List of Figures

Figure 1	City of Oxnard Planning Area	5
----------	------------------------------	---

List of Tables

Table 1	City of Oxnard Community GHG Emissions Inventories a	12
Table 2	City of Oxnard Community GHG Emissions Forecasts a	13
Table 3	State of California Greenhouse Gas Targets	14
Table 4	Greenhouse Gas Reduction Strategies	18
Table 5	Climate Adaptation Strategies	23
Table 6	Comparison of the CAP Relative to the PEIR	33

This page intentionally left blank

ADDENDUM TO THE CITY OF OXNARD 2030 GENERAL PLAN PROGRAM EIR

I. Introduction and Background

This document is an Addendum to the Certified Final Program Environmental Impact Report (PEIR) (SCH #20070410241) prepared for the City of Oxnard 2030 General Plan Update, which was completed in 2009 and certified by City Council in 2011. The PEIR analyzed the environmental impacts of implementing the General Plan. Since then, addenda environmental evaluations have been prepared for subsequent General Plan amendments. In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes the impacts associated with the Draft Climate Action and Adaptation Plan (CAAP) for the City of Oxnard (City) to determine whether the CAAP will result in any new significant environmental impacts or cause a substantial increase in the severity of impacts identified in the PEIR.

As no specific development projects were proposed as part of the General Plan, the PEIR was prepared on a programmatic level. The General Plan proposed an increase in residential land uses, agricultural land, open space, schools, public utility/energy facility, and industrial land uses and a decrease in commercial land, public/semi-public, and other/unclassified land uses pursuant to the proposed land use policy. The PEIR considered the buildout of the General Plan through 2030.

The Sustainable Communities Element of the General Plan included the following policy;

SC-1.3 *Develop a Climate Action and Adaptation Plan that Supports the Regional SB 375 Sustainable Communities Strategy:* Develop a Climate Action and Adaptation Plan that implements requirements adopted by the California Air Resources Board and/or the Ventura County APCD that establishes a GHG emissions qualitative and quantitative threshold of significance, establishes GHG reduction targets, and supports the regional SB 375 Sustainable Communities Strategy.

The CAAP implements this General Plan policy and has two major objectives: 1) to reduce the City's greenhouse gas (GHG) emissions that contribute to climate change, and 2) to increase the community's ability to recover from and adapt to the anticipated impacts of climate change. By implementing the CAAP the City intends to align with the State of California's mandated GHG reduction targets, and be better prepared for impacts related to hazard events associated with climate change, such as rising temperatures, extended droughts, wildfire, floods and sea level rise, as well as slow changes that affect agricultural, forestry, and fisheries productivity; ecosystem structure and function; and public health. The CAAP outlines goals, strategies, and actions for

reducing emissions and for increasing community resilience to climate change. The CAAP is designed to ensure that the City does its part to contribute to the goals of California's Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) and its successor legislation Senate Bill (SB) 32, while remaining consistent with the City's General Plan vision for future growth. The reduction of GHG emissions can ultimately establish the City as a leader in addressing the root causes of climate change within its own community. The CAAP is also designed to help the City comply with the requirements of the Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill [SB] 375, and SB 379 (2016) by identifying the threats the City faces with climate change and providing a list of recommended adaptation and resiliency strategies to address climate change in the next update to the City's Safety Element of the General Plan.

II. CEQA Authority for the Addendum Analysis Document

As indicated above, this document is an Addendum to the 2030 General Plan Certified PEIR (SCH # 2007041024) and addresses the proposed CAAP. The PEIR included all statutory sections required by CEQA, comments received on the Draft EIR, responses to comments on the Draft EIR, and supporting technical appendices. CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, CEQA Guidelines Section 15164(a) states that:

The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

In order to give a degree of finality to EIR documentation, Section 15162 of the CEQA Guidelines requires that a Subsequent EIR need only be prepared if:

1. Substantial changes are proposed in the project, which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration,
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR,

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative, or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

1. Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
3. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis herein, implementation of the CAAP would not result in any additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the implementation of the CAAP would be within the envelope of impacts addressed in the PEIR and would not constitute a new or substantially increased significant impact. Based on this determination, the CAAP does not meet the requirements for preparation of a Subsequent EIR pursuant to Section 15162 of the CEQA Guidelines.

III. Project Description

A. Project Location and Setting

The City of Oxnard is a coastal community located in Ventura County on the central coast of California (see **Figure 1**). The City is located along the Pacific coastline approximately 60 miles northwest of Los Angeles and 35 miles south of Santa Barbara. Oxnard's Mediterranean climate, fertile topsoil, adequate water supply, and long harvest season combine to provide favorable agricultural conditions in the surrounding Oxnard plain. As the largest city in Ventura County, Oxnard is a coastal destination, business center, coastal residential community and the center of a regional agricultural industry.

The General Plan Planning Area encompasses all of the land inside the City Limits, the existing City Urban Limits Boundary (CURB), and additional unincorporated land areas that may influence future planning efforts. The Planning Area covers an area consisting of approximately 44,000 acres. The Pacific shoreline forms the city's entire western and southwestern boundaries. The western boundary extends north along the Pacific Ocean Coast from the northern boundary of the Ventura County Naval Base, around the City of Port Hueneme, to the Santa Clara River.

The northern boundary begins at the coast and extends east-northeast along the Santa Clara River. Approximately one mile east-northeast of Wells Road, the boundary heads directly east across the Santa Clara River for approximately three miles before the boundary turns south (City of Oxnard, 2009).

Figure 1 City of Oxnard Planning Area

B. Purpose and Objectives

The CAAP is a plan for reducing greenhouse gas (GHG) emissions that contribute to global climate change and for adapting to the anticipated effects of climate change. The CAAP has two primary objectives:

1. To reduce GHG emissions through the implementation of reduction measures to meet or exceed reduction targets mandated by the State of California; and
2. To enhance the community's resilience to the impacts of a changing climate by addressing the vulnerabilities and risks that are expected to occur as a result of those impacts.

C. Relationship to Other Plans

The CAAP is informed and guided by the goals and policies in the City of Oxnard 2030 General Plan. Specifically, the CAAP represents implementation of General Plan Policy SC-1.3 (see below). The 2030 General Plan sets out a vision to guide future development in the City to the year 2030. Five of the City's General Plan elements—Sustainable Community, Community Development, Infrastructure and Community Services, Environmental Resources, and Safety and Hazards—include policies that are directly related to climate change and the reduction of GHG emissions. The Sustainable Community (SC) Element of the General Plan was developed to better understand and provide a vision for addressing climate change, sea level rise, and energy conservation. This element states the City's commitment to supporting implementation of SB 375 (Sustainable Communities Strategy Bill), the state's primary legislation related to local planning for reducing GHG emissions (AB 32). The policies contained within this element focus on the conservation of energy, water and natural resources, improvements for local infrastructure and water systems, and planning for renewable and alternative energy production as critical issues related to long-term sustainable development. Two policies in particular from the Sustainable Communities Element inform and guide the development of this CAAP:

- SC-1.2 – Support Statewide Global Warming and Climate Change Mitigation: Continue to monitor and support the efforts of the California Air Resources Board and other agencies as they formulate Global Warming and Climate Change adaptation and mitigation strategies and programs.
- SC-1.3 – Develop a Climate Action and Adaptation Plan (CAAP) That Supports the Regional SB 375 Sustainable Communities Strategy: Develop a Climate Action and Adaptation Plan that implements requirements adopted by the California Air Resources Board and/or the Ventura County APCD that establishes a GHG emissions qualitative and quantitative threshold of significance, establishes GHG reduction targets, and supports the regional SB 375 Sustainable Communities Strategy.

The 2030 General Plan also includes the following policies regarding environmental justice (consistent with the CAAP 2nd objective) and sea level rise:

- SC-1.4 – Awareness of Environmental Justice. Advise other agencies regarding and incorporate environmental justice within City planning, policies, programs, projects, and operations.

- SC-2.3 – Sea Level Rise Consideration in Decision-Making. Ensure that all planning, public works, and related decisions take rising sea level into consideration and take steps to reduce risk of damage or loss of life and property.

The CAAP is consistent with Southern California Association of Government’s 2016 Regional Transportation Plan/Sustainable Communities Strategy (SCAG’s 2016 RTP/SCS), which is the region’s comprehensive long-range transportation plan for implementation of SB 375. The RTP/SCS establishes mechanisms for the development of regional targets for reducing GHG emissions from passenger vehicles and encourages public policy decisions that will result in balanced investments for a wide range of multimodal transportation improvements. The RTP/SCS is intended to achieve the goals of SB 375, and consists of strategies to guide new policies and infrastructure development based on recent household and job growth forecasts, market demand and economic studies, and transportation studies. The RTP/SCS addresses both Transit Priority Areas (TPAs) and High Quality Transit Corridors (also called *High Quality Transit Areas*, or HQTAs) to align regional transportation, land use, housing, and GHG emissions planning through the SCS, which illustrates how SCAG would meet a GHG emissions reduction target for passenger vehicles established by California Air Resources Board (CARB). As defined in SB 743,¹ a *TPA* is an area within 0.5 mile of high-quality transit (such as a rail stop or a bus corridor) that provides or will provide at least 15-minute frequency service during peak hours by the year 2035, and an *HQT corridor* means a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours.

D. Relationship to Statewide Emissions Targets

The 2030 City-wide GHG emissions target in the CAAP reflects the statewide GHG reduction goal outlined in SB 32, which calls for a statewide reduction of GHG emissions to 40 percent below 1990 levels by 2030. The legislation requires that the CARB prepare a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of SB 32. The latest adopted Scoping Plan for SB 32, developed and implemented by CARB in 2017, identifies specific measures to achieve these reductions and recommends that local governments establish GHG reduction targets for both their municipal operations and the community that are consistent with those of the State.

The City's CAAP also has an aspirational goal to achieve carbon neutrality by 2045, a goal that the City will revisit during the next CAAP update, which will occur after CARB has adopted its next Climate Change Scoping Plan update.

The State of California, through Governor’s Executive Orders, has also set longer-term goals of reducing statewide emissions to 80 percent below 1990 levels by 2050 (Executive Order S-03-

¹ To further the state’s commitment to the goals of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the California Global Warming Solutions Act of 2006 (AB 32), and the California Complete Streets Act of 2008 (AB 1358), SB 743 added Chapter 2.7, *Modernization of Transportation Analysis for Transit-Oriented Infill Projects*, to CEQA (Public Resources Code Section 21099). Key provisions of SB 743 reformed the CEQA methodology for analyzing the impacts of urban infill projects to aesthetics and parking and eliminated the measurement of auto delay, including level of service, as a metric for use in measuring traffic impacts in “transit priority areas.”

05); and achieving statewide carbon neutrality by the year 2045 (Executive Order B-55-18). CARB is currently updating the Scoping Plan to assess progress toward the statutory 2030 target and laying out a path to achieving carbon neutrality no later than 2045. The Draft 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

While it is important that the City, and the State in general, achieve demonstrable progress toward these longer-term emissions reduction goals, it would be speculative to say with any certainty how they can be achieved with the information known today. While setting goals beyond 2030 is important to provide long-term objectives, it is difficult to establish targets beyond a 10-year time frame for which defensible reduction assumptions can be made. CARB's currently adopted Scoping Plan Update (CARB, 2017) focuses on meeting the 2030 reduction target, as directed in SB 32. As acknowledged by CARB in its draft 2022 Scoping Plan Update (CARB, 2022), meeting the State's long-term 2045 and 2050 goals would require significant improvements in the availability and/or cost of near-zero and zero-emissions technology, along with a concerted statewide effort to increase carbon sequestration across forests and working lands, as well as potential increased reductions from ongoing state and Federal legislative actions that are currently unknown. New methods may become available to quantify measures that are currently unquantifiable, and new state and federal regulations may further reduce emissions in sectors currently addressed primarily by local City measures. The City chooses not to use the Executive Order reduction goals for 2045 and 2050 as a threshold of significance because they do not represent adopted GHG reduction plans within the meaning of CEQA Guidelines Section 15064.4(b)(2) and because the City's role in achieving this target is uncertain and likely small. The CAAP aligns with the state in proposing measures to meet the 2030 target and puts the City on a path to achieving deeper reductions consistent with the long-term goals represented by Governor's Orders S-3-05 and B-55-18.

Consistent with national and international agreements, California uses 1990 as the baseline year for tracking and reducing statewide GHG emissions. However, for local planning, most local jurisdictions select an appropriate baseline year determined by the availability of data. Accordingly, the City has chosen 2010 as its baseline year, consistent with available records and the City Council approved Energy Action Plan (April 2013), which also uses 2010 as a baseline.²

To develop the GHG reduction strategies in the CAAP, the City developed a baseline 2010 GHG emissions inventory and determined future scenarios for emissions to estimate how emissions can be reduced through City-directed actions. The CAAP aims to reduce community-wide emissions to approximately 499,894 metric tons of carbon dioxide equivalents (MTCO₂e) per year by 2030,

² For Oxnard, like most communities, accurately quantifying 1990 emissions is not possible due to the lack of historical data. Thus, deriving a local state-aligned target for 2030 (40 percent below 1990 levels) requires making an adjustment for emissions growth that has occurred between 1990 and the City's 2010 baseline inventory.

which is 50 percent below 2010 levels and considered approximately equivalent to 40 percent below 1990 levels for the City of Oxnard.³

The CAAP demonstrates how the City can achieve its 2030 target by accounting for actions taken by state agencies that will reduce emissions in the city (also known as “regulations and standards”) and identifies several sector-based strategies and GHG reduction measures that can be adopted and implemented locally by the City or others. These prescriptive GHG measures would achieve GHG reductions needed to meet or exceed the City’s 2030 community-wide GHG target. The CAAP also includes implementation and monitoring procedures to ensure progress is being made towards achieving the objectives and specific GHG reduction measures.

The CAAP also provides a range of adaptation strategies as an additional component to climate action planning. The CAAP describes how, due to a changing climate, the City can expect more-extreme heat events, sea level rise, more intense storm and flooding events, worsening air quality, and severe droughts that will strain already constrained water supplies, and how vulnerable communities experience heightened risk and increased sensitivity to climate change and have less capacity and fewer resources to cope with climate impacts. The CAAP identifies the impacts and vulnerabilities faced by the community, as well as adaptation strategies that will help Oxnard’s neighborhoods, natural systems, and infrastructure withstand the effects of climate change.

The City has also developed a CAAP Consistency Review Checklist, in conjunction with the CAAP, to provide a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. As discussed in Chapter 5, “Implementation and Monitoring,” new developments that are consistent with growth projections and applicable GHG reduction measures are eligible for streamlining under State CEQA Guidelines Section 15183.5 and 15064.4. The CAAP Consistency Review Checklist (referred to as the “CAAP Checklist”), along with instructions for its use, is provided as Appendix G to the CAAP.

E. Contents of the Climate Action and Adaptation Plan

The CAAP contains an executive summary and five chapters, as well as Appendices A through G, which provide additional detail on topics covered in the CAAP.

- **Executive Summary:** The executive summary includes a synopsis of the CAAP, including the plan’s organization and a summary of the City’s GHG emissions inventory and target, and the CAAP’s strategies for reducing emissions and adapting to climate change.
- **Chapter 1—Introduction and Background:** This chapter provides an overview of the document, the purpose and scope of the CAAP, the basic science behind climate change, and the importance of considering equity when taking action. In addition, Chapter 1 provides a brief explanation of potential impacts of climate change in the City of Oxnard, the

³ To account for the global warming potential of different GHGs, emissions are often quantified and reported as carbon dioxide equivalents (CO₂e). For example, methane is a much more potent GHG than carbon dioxide (CO₂) with 28 times the global warming potential as CO₂; i.e., one ton of methane (CH₄) is equivalent to 28 tons of CO₂e in terms of warming potential over the same time frame.

community benefits of taking action, the process for engaging with the community and stakeholders, and a discussion of the state and local actions to reduce GHG emissions.

- **Chapter 2— Understanding Oxnard’s Greenhouse Gas Emissions.** This chapter presents a summary of GHG emissions being generated by the community and by municipal operations. It provides an understanding of where GHG emissions are originating from, including trends and forecasts, and what can be done to reduce them. Finally, Chapter 2 establishes Oxnard’s GHG reduction target.
- **Chapter 3— Reducing Greenhouse Gas Emissions.** This chapter describes the GHG reduction strategies and actions the City will implement at the local level regarding energy use, transportation and land use, solid waste management, and water consumption. Chapter 3 addresses each of these sectors, summarizing their contribution to total citywide emissions and describing the strategies and actions that will be implemented to reduce emissions from each category over time.
- **Chapter 4— Community Resilience and Adaptation.** This chapter presents an overview of the impacts the City of Oxnard is expected to experience due to projected changes in the climate, and what the City can do to begin preparing for them. It describes expected local impacts and vulnerabilities, and potential adaptation planning strategies.
- **Chapter 5— Implementation and Monitoring.** This chapter outlines recommended steps for implementing the GHG-reduction strategies described in Chapters 3 and 4, and for monitoring the progress of implementation. It identifies funding sources and assigns implementation and monitoring responsibility to specific City departments, presenting a schedule for implementation.
- **Appendix A— Community and Stakeholder Engagement Reports:** This appendix includes summaries of community and stakeholder engagement activities supporting CAAP development.
- **Appendix B— Major Climate Policies and Regulations in California as of 2022:** This appendix summarizes the key statewide policies and regulations that affect GHG emissions across the state and at the local level.
- **Appendix C— Greenhouse Gas Quantification Methods:** This appendix provides details on how GHG emissions were quantified for the City’s inventories and reduction strategies.
- **Appendix D— City of Oxnard Social Vulnerability Index:** This appendix describes how a social vulnerability index was created for evaluating the vulnerability of Oxnard’s residents to climate change hazards.
- **Appendix E— Partnering Organizations:** This appendix lists the businesses, community-based organizations, and local, state, and federal partners that could potentially work with the City to implement the strategies and actions in the CAAP.
- **Appendix F—Funding Sources:** This appendix provides information on available funding programs that are relevant to CAAP implementation.
- **Appendix G—CAAP Consistency Review Checklist:** This appendix includes the consistency review checklist for new development.

Greenhouse Gas Inventories

A community GHG emissions inventory is an estimate of a defined set of GHGs emitted to the atmosphere from local or regional sources that contribute to climate change. The CAAP is based on the inventory of these GHG emissions,⁴ which identifies and quantifies the sources and amounts of GHG emissions that are generated from activities within the City in one calendar year (i.e., annual emissions). The CAAP establishes a baseline inventory of community GHG emissions from which future changes in emissions are forecasted, and from which the 2030 GHG reduction target is established. The CAAP also presents an inventory of emissions from municipal operations, which forms a subset of community emissions over which the City has direct control.

The CAAP includes GHG inventories for the years 2010 and 2018, which were developed using well-recognized protocols published by International Council for Local Environmental Initiatives (ICLEI) and adhere to national standards. The Community inventory utilizes the methodology prescribed by the “U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions”, whereas the Municipal inventory, which largely comprises a subset of the Community inventory, utilizes ICLEI’s “Local Government Operations Protocol”.

The 2010 inventory serves as the baseline year from which the City determined its GHG reduction target. The 2010 baseline year was chosen as it was the earliest calendar year for which complete and reliable emissions source and activity data was available. The 2018 inventory represents the most recent calendar year for which complete activity data was available at the time the CAAP was developed. The inventory is organized into GHG Emissions Sectors, which represent a distinct subset of activities that produce emissions. The eight GHG emissions sectors are shown below in order of their contribution (refer to Appendix C for a more detailed discussion of the emissions inventory methods, data sources, and assumptions).

- On-Road Transportation - Emissions from cars and trucks that travel local roads and highways and consume fossil fuels and electricity;
- Electricity - Emissions from the generation of electricity that is used in residential and non-residential buildings;
- Natural Gas - Emissions from the combustion of natural gas used by buildings and industry;
- Solid Waste - Emissions from the decomposition of waste sent to landfills;
- Off-Road Equipment - Emissions from operation of construction and other off-road equipment;
- Wastewater - Emissions from the electricity used to pump wastewater, as well as direct fugitive emissions resulting from wastewater treatment processes and local septic tanks;
- Passenger Rail – local emissions from regional passenger rail (Amtrak and MetroLink); and

⁴ GHGs included in the GHG inventory are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O).

- Water - Emissions from the electricity used for treatment and distribution of potable water in the City, as well as building electricity used in water service facilities (e.g., lights, cooling, etc.).

Table 1 summarizes the results for the 2010 and 2018 community-wide inventories, listed by sector and showing the percent contribution of each sector.

In both 2010 and 2018, on-road transportation contributed the most to the community inventory, followed by electricity, natural gas, and solid waste. Combined, these sectors represent approximately 96 percent of the 2010 inventory and 95 percent of the 2018 inventory. Emissions from off-road equipment (e.g., equipment used for construction and landscaping), wastewater, passenger rail, and water use make up the rest of the inventory. Overall, annual GHG emissions have dropped by over 100,000 MTCO₂e from 2010 to 2018, a difference of approximately 12 percent.

TABLE 1
CITY OF OXNARD COMMUNITY GHG EMISSIONS INVENTORIES ^a

Sector	2010	2010 %	2018	2018 %
On-road Transportation	428,030	43%	389,079	44%
Electricity	252,511	25%	207,472	24%
Natural Gas	215,922	22%	165,692	19%
Solid Waste	64,564	6%	68,411	8%
Off-Road Equipment	28,394	3%	37,310	4%
Wastewater	6,432	1%	4,769	1%
Passenger Rail	2,353	<1%	2,137	<1%
Water	1,583	<1%	1,271	<1%
Total Emissions	999,788	100%	876,140	100%

NOTES:

a. Units in MTCO₂e = metric tons of carbon dioxide equivalent, the standard measurement of the GHG emissions produced and released into the atmosphere.

Greenhouse Gas Emissions Forecasts

The CAAP includes a business-as-usual (BAU) forecast of community emissions, based on the expected growth in the City's population, employment, and housing through 2050. Growth forecasts for 2030 and 2050 are based on the socioeconomic data (SED) obtained from the Ventura County Transportation Model, which was used to model future vehicle miles traveled (VMT) for the CAAP, and which is consistent with the SED used in the 2016 SCAG RTP/SCS.⁵ The BAU forecast indicates that Oxnard's emissions would increase in the absence of State regulations (e.g., renewable energy and vehicle fuel efficiency standards) and if no additional actions were taken by the City to reduce emissions. However, State regulations are expected to

⁵ Southern California Association of Government's 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), available at: <https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs.pdf?1606005557>

reduce emissions considerably over the next 10 to 30 years. These regulations include the California Energy Commission's 2019 and 2023 Title 24 building energy efficiency requirements, the Renewable Portfolio Standards (SB 350), the Pavley and Advanced Clean Car Standards (AB 1493), and the Low Carbon Fuel Standards (EO S-01-07).

Table 2 summarizes the BAU forecasts for 2030 and 2050, as well as the Adjusted BAU forecasts for 2030 and 2050 that account for these state regulations. The Adjusted BAU forecast shows that by 2030, annual community GHG emissions are expected to be approximately 727,099 MTCO₂e, a 27 percent reduction from the 2010 baseline. By 2050, annual community GHG emissions are expected to be approximately 633,399 MTCO₂e, representing a 37 percent reduction from the 2010 baseline. Additional detail regarding the emissions forecasts methods is provided in Appendix C of the CAAP.

TABLE 2
CITY OF OXNARD COMMUNITY GHG EMISSIONS FORECASTS ^a

Sector	BAU Forecast		Adjusted BAU Forecast	
	2030	2050	2030	2050
On-road Transportation	421,902	476,608	297,561	289,819
Electricity	227,193	260,068	132,019	0
Natural Gas	183,175	220,400	183,175	220,400
Solid Waste	74,182	83,801	74,182	83,801
Off-Road Equipment	34,264	36,216	34,264	36,216
Wastewater	5,171	5,841	3,515	1,376
Passenger Rail	1,581	1,786	1,581	1,786
Water	1,378	1,556	801	0
Total Emissions	948,847	1,086,277	727,099	633,399

NOTES:

a. units in MTCO₂e = metric tons of carbon dioxide equivalent

Greenhouse Gas Emissions Targets and Goals

The City of Oxnard selected GHG emissions targets and goals for the CAAP that represent the City's commitment to doing its fair share and meeting its requirements to help California achieve its ambitious statewide GHG targets, as summarized in **Table 3, State of California Greenhouse Gas Targets**.

TABLE 3
STATE OF CALIFORNIA GREENHOUSE GAS TARGETS

Target Year	GHG Emissions Target	Corresponding Legislation
2020	1990 levels	Assembly Bill 32, the California Global Warming Solutions Act (2006)
2030	40% below 1990 levels	Senate Bill 32, the Global Warming Solutions Act (2006)
2045	Carbon neutrality	Executive Order B-55-18 (2018)
2050	80% below 1990 levels	Executive Order S-3-05 (2005)

NOTES:

GHG = greenhouse gas

- a. *Carbon neutrality* means “net zero” emissions of GHGs. In other words, it means that GHG emissions generated by sources such as transportation, power plants, and industrial processes must be less than or equal to the amount of carbon dioxide that is stored, both in natural sinks and through mechanical sequestration.

The CAAP's 2030 target of 499,894 MTCO₂e per year was selected based on guidance provided in the 2017 Scoping Plan Update for local land use development to contribute their "fair share" of emissions reductions to the statewide GHG target for 2030, and was developed to demonstrate consistency with the statewide 2030 target shown in Table 3. The CAAP's 2030 target is 50 percent below 2010 baseline levels, which is approximately equivalent to 40 percent below the City's emissions in 1990. As explained above, the City is not using the Executive Order reduction goals for 2045 and 2050 as a threshold of significance because they do not represent adopted GHG reduction plans within the meaning of CEQA Guidelines Section 15064.4(b)(2) and because the City's role in achieving this target is uncertain and likely small. In addition, CARB's currently adopted Scoping Plan Update focuses on meeting the 2030 reduction target, as directed in SB 32. Therefore, the CAAP aligns with the state in proposing measures to meet the 2030 target and puts the City on a path to achieving deeper reductions consistent with the long-term goals represented by Governor's Orders S-3-05 and B-55-18.

Greenhouse Gas Reduction Strategies and Actions

The CAAP relies on continued implementation of state mandates, as well as local actions for achieving the 2030 target. The Adjusted BAU forecast accounts for implementation of state regulations and standards, as discussed above. Based on the City's 2018 inventory as shown in Table 2, and accounting for the Adjusted BAU forecast shown in Table 3, achieving the City's 2030 target of 499,894 MTCO₂e per year would require reductions of at least 210,615 MT CO₂e per year from local actions by the year 2030 to achieve the 2030 target.

Local actions in the CAAP are organized into the following seven categories containing one to five strategies each.

- Clean Energy (E)
- Green Buildings (B)
- Transportation (T)
- Land Use (L)
- Water Conservation and Reuse (W)
- Waste Reduction and Recycling (R)
- Nature-Based Solutions (N)

The strategies and actions in the CAAP are summarized in **Table 4** below. Additional details for the GHG reduction and actions are provided in the CAAP. Chapter 3 of the CAAP provides a detailed description of each strategy, along with one or more performance objectives, and multiple implementing actions. Information is also provided regarding the co-benefits of implementing the strategy and each strategy's alignment with relevant state and regional initiatives. Implementing actions include new ordinances, policies, resolutions, programs, incentives, and outreach and education activities, which together would achieve the GHG

reductions needed to achieve the 2030 target. Chapter 5 provides an implementation framework, including tracking metrics for each strategy, and a table of implantation details for each action that identifies a general timeline (short-term, medium-term, and long-term), a lead City department, potential implementation partners, and funding sources.

The nine strategies included in the CAAP that would result in GHG reductions by 2030 are listed here in order of their contribution:

- **Strategy E1: Procure Zero-Carbon Electricity:** The City will partner with Clean Power Alliance (CPA), or equivalent, to maintain at least 95 percent community participation in a 100 Percent renewable electricity offering through 2030. This strategy would reduce citywide emissions by approximately 109,983 MTCO₂e per year by 2030.
- **Strategy R1: Recycling and Organic Waste Diversion:** The City will increase diversion of recyclable materials from landfills through ordinances, service improvements, education and outreach, and promoting product stewardship and markets for material reuse. This strategy would reduce citywide emissions by approximately 55,637 MTCO₂e per year by 2030.
- **Strategy B1: Improve Efficiency of Existing Buildings:** The City will partner with interested stakeholders and existing agencies such as CPA, 3C-REN, SoCalREN, and/or the Ventura County Regional Energy Alliance (VCREA) to promote and take advantage of local programs for improving the energy efficiency of existing community and municipal buildings, especially older buildings that are the least efficient and present the biggest opportunity for improvement. This strategy would reduce citywide emissions by approximately 28,518 MTCO₂e per year by 2030.
- **Strategy T1: Expand Zero-Emissions-Vehicle (ZEV) Charging and Fueling Infrastructure:** The City will develop a citywide ZEV Master Plan with a goal to increase the number of publicly-accessible EV charging stations throughout the city to 1,500 by 2030. The City will also look for opportunities to expand its hydrogen fueling infrastructure, in partnership with the Port of Hueneme and others, as the need for green alternatives to diesel-powered trucking increases. This strategy would reduce citywide emissions by approximately 8,389 MTCO₂e per year by 2030.
- **Strategy L1: Support Transit-Oriented and Mixed-Use Development:** The City will implement the 2021–2029 Oxnard Housing Element, and through the forthcoming General Plan update, identify areas within the city where development should be focused to increase density and diversity of land use to achieve reductions in vehicle miles traveled (VMT). In addition, this strategy will be supported through the development of vehicle miles traveled (VMT) metrics and thresholds related to compliance with SB 743. This strategy would reduce citywide emissions by approximately 6,669 MTCO₂e per year by 2030.
- **Strategy W1: Increase Water Conservation and Reuse:** The City will support water conservation by promoting the use of recycled water or graywater for agricultural and for irrigation at all large new developments, and to create the necessary infrastructure to utilize 100 percent of output from the City’s Advanced Water Purification Facility (AWPF). The City will also update the existing City Landscaping Standards to list a selection of pre-approved native, drought-tolerant, and California-friendly plant species and trees to be used for City landscaping projects. This strategy would reduce citywide emissions by approximately 1,404 MTCO₂e per year by 2030.

- **Strategy T2: Transition City Fleet to Greener Alternatives:** The City will replace all remaining diesel trucks in the City’s Environmental Resource Division to alternative fuel vehicles by 2030. The City will also develop a ZEV Master Plan for the City fleet that evaluates costs, budget needs and infrastructure needs for the short and long term, including optimal EV charging locations, funding opportunities, and opportunities for public-private partnerships. This strategy would reduce citywide emissions by approximately 240 MTCO₂e per year by 2030.
- **Strategy T5: Expand Car and Bike Sharing:** Through implementation of the forthcoming Sustainable Transportation Plan (STP), the City will identify support for and/or ways to expand access to e-bikeshare and neighborhood EVs, to ultimately enable their use in the public right-of-way. In addition, the City may introduce an e-bikeshare, and/or EV carshare program that incentivizes third-party providers to locate in Oxnard, and consider updates to the TDM Ordinance to require the development of TDM plans for all major developments or facility expansions to encourage ridesharing and other shared mobility improvements, thereby reducing vehicle trips. This strategy would reduce citywide emissions by approximately 238 MTCO₂e per year by 2030.
- **Strategy T3: Expand Infrastructure for Pedestrians, Bikes, and Micro-mobility Solutions:** The City will adopt the forthcoming Sustainable Transportation Plan (STP), which will include projects that expand the reach of the pedestrian and bicycle network throughout the city and provide comfortable opportunities to use active transportation. This strategy would reduce citywide emissions by approximately 121 MTCO₂e per year by 2030.

TABLE 4
GREENHOUSE GAS REDUCTION STRATEGIES

CAAP Strategies	Implementing Actions
Clean Energy (E)	
E1: Procure Zero-Carbon Electricity	E1.1 – Invest City staff time and financial resources in maintaining a minimum 95 percent community participation rate in CPA's 100 Percent Green option, or equivalent, through the year 2030 E1.2 – Work with the CPA to develop an educational campaign targeted to businesses and residents on the importance of subscribing to the CPA's 100 Percent Green level E1.3 – Partner with CPA to promote Power Share, which provides disadvantaged communities residents with a 20 percent discount and 100 percent renewable energy E1.4 – Request a rate analysis from CPA at least annually and compare to SCE rates, to determine the financial impact of returning all municipal accounts currently enrolled with CPA to 100 Percent Green option E1.5 – Chart and annually revise an implementation plan for returning municipal accounts to CPA's 100 Percent Green option or equivalent
E2: Increase Local Solar Energy Generation	E2.1 – Partner with interested developers to create Community Solar projects in the CPA program, or equivalent Community Renewables program offered by SCE E2.2 – Partner with CPA and community-based organizations to promote CPA customer awareness and enrollment in the Community Solar program, or equivalent Community Renewables program offered by SCE E2.3 – Partner with CPA and/or electric utility to develop and distribute information to residents interested in rooftop solar to take advantage of programs like CPA's Solar Marketplace, which provides access to quotes from multiple, pre-screened local installers E2.4 – Incentivize CPA customers with existing rooftop solar to register for CPA's Net Energy Metering (NEM) Program, which pays customers for net energy production on an annual basis E2.5 – Through meetings and coordination, facilitate partnerships and information sharing between local construction/roofing contractors and solar companies that increase consumer choice as well as business referrals E2.6 – Increase local participation in SCE's Community Renewables Program, which connects customers with solar developers so that they can purchase renewable electricity from certified community solar projects E2.7 – Identify existing municipal facilities, city-owned public spaces, and associated parking lots with potential for rooftop solar installation and/or solar canopies; identify potential solar PV projects with consideration to fiscal resources, and Capital Improvement Plan timeframes and feasibility E2.8 – Assess solar PV procurement financial models to reduce up-front capital costs and increase long-term savings (e.g., State and Federal Incentives, Power Purchase Agreement, Net Metering, etc.) and adopt financing plan E2.9 – Secure funding, cost and bid solar PV projects; Interconnect and install solar projects
E3: Develop Energy Storage/ Microgrids	E3.1 – Partner with CPA to develop their Power Response Program, which offers incentives to commercial and residential customers for the installation of energy storage to enable load-shifting during times of peak demand E3.2 – Promote enrollment in SCE's Smart Energy Program, Summer Discount Plan, and SCE-advertised third-party demand response programs E3.3 – Identify potential partnerships, funding, or financing sources for installing storage and microgrids in the community E3.4 – Develop a community energy map that identifies opportunities for deploying distributed energy resources and microgrids to improve energy security and resiliency in the community E3.5 – Partner with CPA to perform feasibility assessment to determine the potential of microgrid projects on City buildings E3.6 – Partner with CPA and develop municipal facility microgrid project scoping to include: goal of the project, background information, site selection, assessment of opportunities and risks, community involvement and feedback, partnerships, project team development, performance requirements, and ownership

TABLE 4 (CONTINUED)
GREENHOUSE GAS REDUCTION STRATEGIES

CAAP Strategies	Implementing Actions
	E3.7 – Meet with Regional Energy Network (REN) to determine the availability of technical services and/or funding for municipal facility energy storage and microgrids E3.8 – Meet with CPA to determine the availability of incentives and/or funding for municipal facility energy storage and microgrid projects E3.9 – Perform conceptual design and cost estimates of municipal energy storage and microgrid projects E3.10 – Secure funding, cost and bid on municipal energy storage and microgrid projects; Build projects
Green Buildings (B)	
B1: Improve Efficiency of Existing Buildings	B1.1 – Partner with existing agencies such as CPA, 3C-REN, SoCalREN, and/or the Ventura County Regional Energy Alliance (VCREA) to promote and take advantage of local programs; meet with these agencies on a quarterly basis B1.2 – Launch educational campaign targeted at City residents and businesses to let them know what energy efficiency improvement offerings are available B1.3 – Launch educational campaign for multifamily building owners and managers on the programs and incentives offered by the RENs and the local utilities B1.4 – Engage local school districts to participate in the CalSHAPE (AB 841) program to improve plumbing and ventilation in schools; set up an introduction to a service provider to assist schools with program applications B1.5 – Engage local school districts to enroll in (if not already enrolled) and participate in SoCalREN; set up introductory meetings to a service provider to assist schools with program enrollment and technical services B1.6 – Perform periodic energy audits and feasibility studies (e.g., every 5 years) to assess facility performance and identification of potential energy efficient projects for municipal facilities; actively engage SoCalREN to support this effort B1.7 – When doing municipal facility renovations, assess potential for energy efficiency improvements and adding solar PV (e.g., when reroofing occurs, design support system to withstand rooftop solar PV loads) B1.8 – Implement energy efficiency projects for municipal facilities at selected locations to achieve energy reduction goals and support decreased electric load on the grid
B2: Electrify Buildings	B2.1 – Partner with existing agencies such as CPA, 3C-REN, and/or VCREA to promote and take advantage of local programs, including rebates and financing options for building and appliance electrification; meet with these organizations on a quarterly basis B2.2 – Meet with SCE (and/or other providers) on a regular basis to strategize promoting electrification offerings to residents and businesses, while keeping energy resilience needs in mind B2.3 – Work with electric utility to create an educational campaign for building owners on the health, climate, and cost benefits of electric-powered kitchen equipment, and distribute information about available products and installation services B2.4 – As part of the CIP process, conduct a feasibility study to identify opportunities for electrification of city facilities and determine cost and financial impacts, utilizing the quarterly meetings with the RENs and utilities to identify offerings B2.5 – Secure funding, cost estimates, and bids for municipal electrification projects
Transportation (T)	
T1: Expand Zero-Emissions-Vehicle (ZEV) Charging and Fueling Infrastructure	T1.1 – Develop a citywide ZEV Master Plan that evaluates near-term and long-term needs for EV charging and hydrogen-fueling infrastructure, including home EV charging, and identifies optimal EV charging locations and gaps in public accessibility (especially for disadvantaged communities) T1.2 – Meet with the Building and Engineering Services to develop possible code requirements to encourage or require preferential EV parking and EV charging stations, beyond what is required by Title 24 T1.3 – Track and apply for CALeVIP funding for sites that have already been identified for EV charging before funding is exhausted; utilize SCE's Charge Ready program to build out infrastructure for public charging stations

TABLE 4 (CONTINUED)
GREENHOUSE GAS REDUCTION STRATEGIES

CAAP Strategies	Implementing Actions
	T1.4 – Meet with utilities and state agencies quarterly to track and coordinate the promotion of offerings to Oxnard residents and businesses; in City communications, promote EV charging incentive programs offered through CPA and SCE and through federal or state funding T1.5 – Coordinate with the Port of Hueneme, Gold Coast Transit District (GCTD), and other regional stakeholders on infrastructure planning for electric and hydrogen powered vehicles T1.6 – Based on public EV charging needs (as identified in citywide ZEV Master Plan or elsewhere), apply for CALeVIP funds through the South Central Coast Incentive Project, or equivalent T1.7– Secure funding, cost and bid installation of public charging locations T1.8– Install public charging locations as funding becomes available
T2: Transition City Fleet to Greener Alternatives	T2.1 –Develop a ZEV Master Plan for the City fleet that evaluates costs, budget needs and infrastructure needs for the short and long term, including optimal EV charging locations, funding opportunities, and opportunities for public-private partnerships. T2.2 – Pass a resolution that supports City fleet vehicle purchases (or at minimum, utility and truck purchases) to be ZEVs in alignment with the CARB's proposed regulation to require public fleets to purchase 100 percent zero-emissions trucks by the year 2027 T2.3 – Meet with CPA, SCE, and other administrators of incentive and rebate programs quarterly to determine what offerings can be utilized to build out fleet charging stations T2.4 – Secure funding and build out municipal fleet EV charging and/or hydrogen fueling infrastructure as needed to support ZEV Master Plan for city fleet
T3: Expand Infrastructure for Pedestrians, Bikes, and Micro-mobility Solutions	T3.1 – Adopt the forthcoming STP, which will include projects that expand the reach of the pedestrian and bicycle network throughout the city and provide comfortable opportunities to use active transportation T3.2 – Through the implementation of the forthcoming STP, potentially introduce an e-scooter program that incentivizes third-party providers to locate in Oxnard T3.3 – Where feasible in new roadway designs, accommodate micro-mobility solutions such as electric bikes, scooters, and neighborhood EVs T3.4 – In new roadway designs, provide safe and convenient pathways and infrastructure for electric bikes and scooters, including publicly accessible charging locations
T4: Improve Transit Effectiveness and Accessibility	T4.1 – Partner with GCTD and VCTC to assess current transit routes and identify opportunities for improvement geared towards Oxnard residents T4.2 – Partner with GCTD and VCTC to upgrade transit stops with weather protection, security measures, increased comfort and accessibility, and access to accurate information on transit routes, schedules, fares, connections, and destinations T4.3 – Support GCTD's Late-Night Safe Rides Pilot, including continued partnership to evaluate whether there is opportunity to expand the program to cover additional service hours and zones T4.4 – Partner with GCTD and VCTC to improve access to real-time transit vehicle arrival information in multiple languages T4.5 – Partner with GCTD and VCTC to enhance multi-modal connections to transit facilities by implementing pedestrian and bicycle improvements near transit stops and mobility hubs, as identified in the STP T4.6 – For the City's Dial-a-Ride (paratransit) program, create a subsidized fare program for the elderly, or those with qualifying low income T4.7 – Support Dial-a-Ride or other paratransit systems for the senior and disabled members of the community
T5: Expand Car and Bike Sharing	T5.1 – Consider updates to the TDM Ordinance to require the development of TDM plans for all major developments or facility expansions to encourage ridesharing and other shared mobility improvements, thereby reducing vehicle trips T5.2 – Through the implementation of the forthcoming STP, potentially introduce an e-bikeshare, and/or EV carshare program that incentivizes third-party providers to locate in Oxnard; offer reduced parking requirements for new development projects that

TABLE 4 (CONTINUED)
GREENHOUSE GAS REDUCTION STRATEGIES

CAAP Strategies	Implementing Actions
	provide dedicated carshare facilities T5.3 – Through implementation of the STP, identify support for and/or ways to expand access to e-bikeshare and neighborhood EVs, to ultimately enable their use in the public right-of-way
Land Use (L)	
L1: Support Transit-Oriented and Mixed-Use Development	L1.1 – Through the forthcoming General Plan update, identify areas within the city where development should be focused to increase density and diversity of land use to achieve reductions in VMT L1.2 – Incentivize mixed-use development projects to include land uses representing common destinations, such as grocery stores, pharmacies, and restaurants L1.3 – Encourage mixed-use development by reducing parking requirements where justified by shared parking when uses with different peaking characteristics (such as offices and apartments) are combined L1.4 – Research and adopt other appropriate “smart growth” policies in addition to those identified above to incentivize density and diversity of land use L1.5 – Continue to implement the City’s Traffic Impact Fee and the Mobility Fee to better align with and encourage VMT reduction (Municipal Code Ordinance Nos. 2258, 2979).
Water Conservation and Reuse (W)	
W1: Increase Water Conservation and Reuse	W1.1 – Maximize the use of recycled water or graywater for agricultural and for irrigation at all large new developments W1.2 – Where feasible, install additional recycled water pipeline infrastructure; update the existing landscape ordinance to facilitate implementation of AB 1668 W1.3 – Create the necessary infrastructure to utilize 100 percent of AWPf output W1.4 – Evaluate the feasibility of developing a municipal landscaping policy that limits the use of potable water for municipal irrigation W1.5 – Update the existing City Landscaping Standards to list a selection of pre-approved native, drought-tolerant, and California-friendly plant species and trees to be used for City landscaping projects W1.6 – Replace flush and flow fixtures in municipal facilities to improve water efficiency
Waste Reduction and Recycling (R)	
R1: Recycling and Organic Waste Diversion	R1.1 – Participate in regional efforts to increase or establish local organics processing and capacity R1.2 – Establish a system to track waste disposal and diversion activities, ideally categorized by both land use (residential, commercial, municipal) and management type (landfilled, recycled, anaerobically digested, composted) R1.3 – Adopt a Polystyrene Ordinance to regulate the production and use of the material within city limits, to encourage the use of more recyclable or compostable materials in its place R1.4 – Maximize placement of recycling and organic waste receptacles in municipal facilities and in public spaces R1.5 – Adopt a Green Purchasing Plan with a goal of conserving natural resources by purchasing products that are environmentally friendly whenever feasible
Nature-Based Solutions (N)	
N1: Increase Local Carbon Sequestration	N1.1 – Maintain and expand the urban tree canopy using available grant programs N1.2 – Specify options for future tree planting with drought-resistant tree species that can survive changes to the local climate, and consider long term maintenance to improve the canopy. N1.3 – Prioritize investment in neighborhoods with limited green space and elevated air pollution, and in areas where green infrastructure, including trees and other types of vegetated buffers, can effectively address stormwater management issues N1.4 – Coordinate with the County of Ventura on their Tree Planting program, which

TABLE 4 (CONTINUED)
GREENHOUSE GAS REDUCTION STRATEGIES

CAAP Strategies	Implementing Actions
	aims to plant two million trees throughout the county by 2040 N1.5 – Seek funding to implement a green infrastructure program for the City's parks, streets, and public spaces to improve stormwater management, support biodiversity, reduce air pollution exposure, and increase access to natural spaces, including trees N1.6 – Continue implementation of the Oxnard Green Alleys Plan to transform existing alleyways within disadvantaged neighborhoods into multifunctional green spaces with tree canopy, green infrastructure elements, and active transportation access.

Climate Change Vulnerabilities and Adaptation Strategies

One of the CAAP's key objectives is to enhance the community's resilience to a changing climate by addressing the vulnerabilities and risks that are expected to occur as a result of those impacts. Resilience, as defined by the State of California's Adaptation Planning Guide, is the "capacity of any entity—an individual, a community, an organization, or a natural system—to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience." Climate adaptation is defined by this same source as "actions that address the projected impacts on all aspects of community function that may result from climate change. This can include impacts related to hazard events (flood, wildfire, drought, and severe storms for example), as well as slow changes that affect agricultural, forestry, and fisheries productivity; ecosystem structure and function; and public health." (California OES, 2020)

Like other communities in California, Oxnard is likely to face serious economic, social, and environmental challenges in the coming decades due to rising temperatures, sea level rise, extreme storms, wind events, more severe droughts, and diminishing air quality that is expected to occur because of climate change. These impacts present significant threats to community health and wellbeing, which will not affect everyone equally. Vulnerable groups, such as the elderly, low-income families, farmworkers/agricultural workers, undocumented immigrants, communities of color, and individuals already suffering from chronic diseases, will be disproportionately impacted by these changes.

Chapter 4 of the CAAP includes an assessment of the City's social and physical vulnerabilities that considers the range of expected climate change impacts facing the City, using publicly available data from sources that include but are not limited to Cal-Adapt, Healthy Places Index (HPI), FEMA, and the City of Oxnard Sea Level Rise Atlas. To address the identified vulnerabilities, the CAAP describes potential strategies for protecting vulnerable populations and increasing the resilience of the City's emergency response capabilities as well as its critical infrastructure for transportation, energy, water supply, and stormwater management. These adaptation strategies are grouped into to six different categories as summarized in **Table 5** below. Note that the CAAP does not include strategies or actions addressing sea level rise because the City is undergoing a separate planning process for sea level rise through its Local Coastal Program (LCP) Update project.

Similar to the CAAP's GHG reduction strategies, Chapter 5 provides an implementation framework for the adaptation strategies, including a table of implantation details that identifies a general timeline (short-term, medium-term, and long-term), a lead City department, potential implementation partners, and funding sources.

TABLE 5
CLIMATE ADAPTATION STRATEGIES

CAAP Strategies	Description/Potential Measures
Community Preparedness (CP)	
CP1: Develop a public education campaign to inform community of climate hazards and impacts	This strategy involves collaborating with local and regional agencies, including farmworkers associations, senior organizations, schools, transportation agencies, and other community groups, to create a campaign for increasing community education and awareness of climate hazards, vulnerabilities, and adaptation strategies. Informational materials should be provided through various platforms and in a multilingual capacity. Materials may also be used in schools and by community organizations to reach more groups in Oxnard.
CP2: Ensure early warning systems are adequate for extreme events related to climate change	Early warning systems can provide timely information and resources for local hazards, including events related to extreme heat, flooding, extreme winds, poor air quality, and wildfire smoke. The City currently coordinates emergency responses with the County of Ventura and other regional actors through the varied channels of EOC networks. For maximum reach, early warning systems should employ various modes of communication to ensure greater access (webpage, cellular alerts, social media blasts, radio, emails, automated community signage, bus stop signs, etc.) and convey the appropriate safety response for community members. The community should receive education and awareness of hazards that would warrant notification through the early warning system, and how future hazards are likely to be very different from what the community has historically known and experienced.
CP3: Invest in backup power systems and energy storage at emergency centers and cooling centers	This strategy involves building local community resilience through energy systems. The City can explore options to invest in sustainable backup power sources and energy storage to provide redundancy and continued services for critical facilities during emergencies, especially cooling centers and emergency shelters. This will help provide reliable support in the case of power outages and during periods of high electricity demand. The City should develop a list of critical facilities that currently do not have backup power systems in order to prioritize future projects. The City should also investigate whether a standard duration of backup power should be developed.
CP4: Expand community resilience services and infrastructure	Existing emergency response centers, evacuation routes, and cooling centers should be assessed to ensure they are effective, safe, and accessible in the case of a climate hazard event, and be able to serve the needs of vulnerable populations. The City should further ensure that these facilities and infrastructure are resilient to various climate impacts. New emergency response facilities, such as a resilience hub, can be developed in collaboration with local and regional agencies to provide relief from multiple hazards and provide services (e.g., hydration, cooling, masks and filters, and hazard notifications). Where electricity storage is not available or feasible, natural gas should be considered as a back-up energy source for heating water and cooking food during power outages.
CP5: Periodically review public infrastructure standards	The City's public infrastructure standards should be reviewed periodically to make sure that infrastructure is built to withstand future impacts from climate change hazards including flooding, sea level rise and extreme heat events.

TABLE 5 (CONTINUED)
CLIMATE ADAPTATION STRATEGIES

CAAP Strategies	Description/Potential Measures
Extreme Heat (EH)	
EH1: Ensure access to cooling centers, parks and shoreline	The City has designated cooling centers, as well as parks and beaches, which also serve as a refuge from extreme heat. The City can expand accessibility to these locations, particularly for the most vulnerable groups (e.g., outdoor workers and low-income communities) with active transportation pathways, including bike paths and pedestrian routes. The City can also enhance community awareness of accessible cooling centers and the benefits provided by natural cooling amenities in Oxnard, and ensure that access routes are well-maintained and clearly marked. Having access to these centers, including public transportation options, can be critical during extreme heat events and power outages, particularly for lower-income households that lack cooling and for individuals lacking access to a private vehicle. The City should coordinate with cooling facilities and transportation providers to ensure that these facilities continue to operate during power outages.
EH2: Seek funding for energy improvements for low-income households	Various households in Oxnard lack working heat pumps, adequate insulation, air conditioning, and HVAC systems. This strategy is focused on accessing funding for low-income households to install heat pumps and make other necessary retrofits that will help address extreme heat in their homes.
EH3: Promote enforcement of Cal/OSHA standards that protect against extreme heat	Existing local and state policies and standards protect individuals from heat-related impacts. Ensuring enforcement of Cal/OSHA standards for City workers and encouraging local businesses to do the same, along with distributing training informational materials to local workers, can prevent health-related heat impacts, such as heat cramps, heat stress, heat exhaustion, and heat stroke. Increasing awareness of heat-related illnesses to community members, especially outdoor workers, can further protect against serious impacts to health.
EH4: Give higher priority to urban greening and shading along active transportation routes and commuting services	Urban greening can provide natural cooling benefits and help reduce the urban heat island effect. This strategy involves identifying active transportation routes, bus stops, and walking paths where urban greening and shading can be added and increased to benefit users. Priority locations should include places that serve outdoor workers and schools, bus stops, and bike and pedestrian paths
EH5: Support and expand the citywide tree program, report, and plan	Tree canopy provides shading and natural cooling from extreme heat, adds beautification, and supports mental health. The City can continue to expand its Tree Program to include an updated tree inventory, identify vulnerable and heat-sensitive species, strengthen tree protection policies, prioritize tree canopy projects for vulnerable groups and in areas with high population density and low levels of tree canopy, and pursue funding for tree planting projects. This strategy provides the framework for a comprehensive urban forest management plan that guides sustainable management for a resilient urban forest.
EH6: Give higher priority to urban greening in communities that are most vulnerable	Oxnard's outdoor workers, elderly, youth, and active transportation users are among those at higher risk from extreme heat impacts. Urban greening and tree plantings should be prioritized to benefit these groups, at their workplaces, in residential areas (especially residentially areas with high population density and low levels of existing tree canopy of greenery), and along active transportation routes. To increase the success of these projects, the City can collaborate with the County of Ventura on the countywide Tree Planting Program and target disadvantaged community areas.
Extreme Drought (ED)	
ED1: Expand and protect the City's diversity of water supply	The City should continue to work collaboratively with regional partners and water suppliers to participate in regional water supply planning and identify ways to increase the resiliency of the City's water supply in the future. The City conducts promotional activities through the existing Groundwater Recovery Enhancement and Treatment (GREAT) program. These efforts can be expanded to further educate and encourage residents to adopt water saving techniques in their homes and gardens. Outreach activities should utilize a variety of formats, including educational videos and materials,

TABLE 5 (CONTINUED)
CLIMATE ADAPTATION STRATEGIES

CAAP Strategies	Description/Potential Measures
	community presentations, public tours, and special events.
ED2: Continue to expand community water recycling programs	The City continues to maintain the existing GREAT program for improved water recycling, reuse, storage, and recovery. The City can further support expansion of recycled water infrastructure to serve existing municipal parks and facilities, as well as multifamily, commercial, and industrial development and redevelopment projects. Distribution of informational materials to encourage the use of gray water and rainwater catchment systems for businesses and residents can also enhance the effectiveness of community water recycling programs.
ED3: Use drought-tolerant, native plants and alternative irrigation at City facilities	The City should continue to encourage the planting of drought-tolerant and California native plants, and expand the use of alternative irrigation techniques to reduce water consumption. This can be implemented in public facilities, residences and businesses, and maintain community aesthetics while reducing water use.
ED4: Partner with the County to provide information on climate resilient crops	Although there is little to no agriculture within Oxnard city limits, the region's agricultural sector is a significant part of the local and state economy and employs many local residents. A reliable water supply is critical for maintaining the region's agriculture. With worsening drought conditions and decreasing water allocations, Oxnard can partner with local and regional agencies, such as the County of Ventura and agricultural associations, to provide information and resources for growers considering a shift to other, less-water-intensive crops. This can provide support to farmers and organizations in learning about water use and impacts related to crop species, and economic feasibility of shifting to different crops. As a part of this effort, the City should work with regional partners to identify potential new agricultural pests and identify potential adaptation strategies for regional agricultural operations.
ED5: Create and/or participate in programs to address food insecurity	Drought conditions can increase costs for water and food, and disproportionately impact lower-income households, unemployed individuals, and larger-family households. To address food insecurities, the City can collaborate with schools and local organizations to develop new farm-to-community programs and expand existing public programs for vulnerable populations. The City operates the senior meal program and three community gardens (Camino del Sol Community Garden, Wilson Senior Center community garden, and Pleasant Valley Road/Fire Station 2 community garden) that play important roles in combating local food insecurity. These can be expanded to maximize access and output to community members.
ED6: Consider Expanding Project Assist	Evaluate the potential to expand Project Assist which provides a month credit on utility bills for qualifying individuals and families. Evaluate whether program outreach and advertisement should be expanded and targeted toward vulnerable groups. This strategy is focused on providing relief for households in the event that water and food prices rise due to increasing drought.
Wildfire Smoke and Air Pollution (AP)	
AP 1: Promote existing hazard alert and warning system for workers	In Oxnard, outdoor workers are among those at highest risk from worsening air pollution. The City should increase awareness of the alert and warning systems by targeting outdoor workers, farmers, and farmworkers associations and working with those stakeholders to improve alert systems. The City may also consider ways to improve the effectiveness of alert systems by using text messages or by using delivery methods that are accessible for people without access to cell service. The City may collaborate with local and regional organizations, including the County of Ventura, to expand the reach and capacity of the hazard alert and warning system.
AP2: Ensure Cal OSHA rules are known and enforced	The City should work with local agricultural business partners to improve business and worker awareness of Cal/OSHA standards related to heat stress and to improve the enforcement of standards. Improving the enforcement of these standards may prevent short- and long-term illnesses due to extended exposure to poor air quality.
AP3: Improve access to air filters,	Shelters should be publicly accessible to all community members and provide

TABLE 5 (CONTINUED)
CLIMATE ADAPTATION STRATEGIES

CAAP Strategies	Description/Potential Measures
shelters with filtered air, or air masks	relief from poor air quality with air filters, filtered air locations, or air masks. The City can work with existing shelters to disseminate information and ensure that vulnerable populations are aware of their locations and are able to access them with ease. The City can also identify and provide new shelter locations near vulnerable communities such as outdoor workers, and/or disseminate air masks to outdoor workers.
AP4: Develop programs to promote EVs and reduce vehicle-miles traveled (VMT)	Local agencies can contribute to emissions reductions from vehicles by promoting and implementing programs that allow for flexible work, expanding access to transit, and encouraging the transition to electric vehicles. These include work-from-home policies, flexible and alternate schedules, telework and telemedicine, and local work hubs. This strategy is supported by greenhouse gas reduction strategies identified in Chapter 3 (Strategies T1 through T5).
AP5: Support retrofits to public facilities and housing to improve indoor air quality	Older buildings and households may be in need of new or replacement equipment to protect against smoke and air pollution. The City can identify housing and facilities that are in need of retrofits or replacements, promote programs that provide AC units, air filters, and HVAC systems, and encourage a shift from indoor gas appliances. Retrofits can be prioritized for lower-income households, older buildings, families with health conditions exacerbated by air pollution, and households with children.
Extreme Storms and Stormwater Flooding (SF)	
SF1: Give higher priority to low-impact development (LID) stormwater practices in new development projects	Low-impact development (LID) utilizes natural processes for stormwater management. The City should evaluate where LID practices are feasible and appropriate in the City of Oxnard. The City can encourage and prioritize LID practices to help with stormwater runoff, water infiltration, and water capture and reuse. These may include bioswales, green roofs, rain gardens, pervious surfaces, and more.
SF2: Elevate, relocate, or renovate buildings or critical infrastructure	Evaluate the City stormwater drainage system in order to identify portions of the city stormwater drainage system that are insufficient or that require updates or retrofitting to meet existing or future capacity. Consider prioritizing updates to the existing stormwater drainage in areas that experience the most severe flooding or in areas near vulnerable populations. Critical infrastructure located within areas of flood risk may benefit from being elevated, relocated, or renovated to reduce the risks from impacts, especially if they are older in construction or design. The City should consider identifying and prioritizing threatened facilities for a long-term solution to protect against flooding impacts.
SF3: Create a flood impacts monitoring program	A Flood Impacts Monitoring Program can help monitor conditions and future risk of flooding events. Creation of this program should focus on monitoring rainfall and water/flooding levels, points or areas flooded and the areas prone to consistent flooding, and hazardous conditions as a result of flooding. This program would be helpful in facilitating future adaptation against flooding hazards.
SF4: Encourage advanced coordination between transit operators to facilitate evacuations during inland flooding events	This strategy is focused on communication for ensuring safe evacuations during flood events. The City should consider coordinating with local and regional transit providers to ensure that transit remains operational during flood events and can quickly and safely conduct evacuations. Other agencies to coordinate with include the County of Ventura, emergency response facilities, school districts, and outdoor workers/farmworkers associations. The City may also develop public education materials to inform the public about sheltering options during flood events and how to respond to emergency evacuations. Other agencies to coordinate with include the County of Ventura, emergency response facilities, school districts, and outdoor workers/farmworkers associations.
SF5: Consider Implementing green infrastructure in areas that are most vulnerable to stormwater flooding	Green infrastructure practices include tree plantings, green roofs, rain gardens, green alleys, and wetland restorations. Green infrastructure elements can be incorporated into community areas to help with water efficiency and water resources management. The City should study the feasibility of implementing green infrastructure projects in areas that are

TABLE 5 (CONTINUED)
CLIMATE ADAPTATION STRATEGIES

CAAP Strategies	Description/Potential Measures
	vulnerable to stormwater flooding. In Oxnard, green infrastructure can be prioritized in the southern, western, and eastern areas of the city where there is higher risk from stormwater flooding. Consider finding implementation partners to facilitate the construction and maintenance of green infrastructure projects.
SF6: Remedy areas with stagnant water prone to mosquito breeding	Areas of stagnant water that could increase the spread of vector-borne diseases should be identified and remedied. Public education materials about vector-borne diseases should be created and disseminated as a part of this strategy to inform the public about the risks of vector-borne diseases and how to identify and remedy areas of stagnant water that may occur within gardens etc.
SF7: Initiate flood study based on 2030 SLR high tide and 3-day atmospheric river event	Initiate a flood study which evaluates potential flooding from 2030 sea level rise, high tide scenarios as well as a 3-day atmospheric event of extreme precipitation. This study should include modeling that takes into account the potential for City and County flood control channels being unable to drain into Channel Islands Harbor or the ocean at high tide with storm surge and the resulting storm drain backup throughout the City.

F. Qualified Greenhouse Gas Emissions Reduction Plan

CEQA Guidelines Section 15183.5(b) stipulates that project-specific environmental documents can find that project-level GHG emissions would not be cumulatively considerable if the project complies with the requirements of a qualified GHG emissions reduction plan. The project-specific environmental document must identify those requirements in the GHG emissions reduction plan that applies to the project, and if they are not otherwise enforceable, must incorporate those requirements as project-specific mitigation measures. To meet the requirements of CEQA Guidelines Section 15183.5(b), a qualified GHG emissions reduction plan must do the following:

1. Quantify existing and projected GHG emissions resulting from activities within a defined geographic area.
2. Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable.
3. Identify and analyze sector-specific GHG emissions within the plan's geographic area.
4. Specify measures or a group of measures, including performance standards, that if implemented at the project-by-project basis, would collectively achieve the specified emissions level.
5. Establish a mechanism to monitor the plan's progress toward achieving the GHG emissions level and to require amendment if the plan is not achieving specified levels.
6. Be adopted in a public process following environmental review.

Projects in the City can demonstrate consistency with the CAAP (as a qualified GHG emissions reduction plan) if they are consistent with the CAAP's future growth projections, with the land use designations of the City's 2030 General Plan, and with the CAAP's GHG emissions reduction measures. Any project that is consistent with a qualified GHG emissions reduction plan, and that

conforms to specific performance standards applicable to new development identified in the plan, would not require additional GHG emissions analysis or mitigation under CEQA Guidelines Section 15183.5(b)(2).

A project's incremental contribution to a cumulative impact may not be cumulatively considerable if the project would comply with the requirements in a previously approved plan or mitigation program (including plans or regulations for the reduction of GHG emissions) that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area in which the project is proposed (CEQA Guidelines Sections 15064[h][3] and 15064.4[b]). Once final, the CAAP would represent City of Oxnard's approved emissions reduction program for new development within the City.

The City has developed the CAAP Consistency Review Checklist to assist with determining the consistency of projects with the CAAP. This is included as Appendix G to the CAAP. The CAAP Consistency Review Checklist provides individual projects the opportunity to demonstrate that they are reducing GHG emissions; it also ensures that future projects would achieve their proportion of emissions reductions consistent with the assumptions used in the CAAP. A project would demonstrate consistency with the CAAP by incorporating the GHG emissions reduction measures included in the CAAP that apply to new projects. The CAAP Consistency Review Checklist provides a mechanism for development projects to specifically identify "those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project" per CEQA Guidelines Section 15183.5(b)(2).

Because it is a qualified climate action plan pursuant to CEQA Guidelines Section 15183.5, the CAAP would be used as the basis for future assessments of consistency with this plan in lieu of a project-specific GHG CEQA analysis for future projects, by using the CAAP Consistency Review Checklist. Future discretionary projects—both projects proposed by private developers and public projects—would be reviewed to determine whether they meet certain screening criteria included in the CAAP Consistency Review Checklist:

- If a project would be consistent with the land use designations in Land Use Element of the 2030 General Plan and in the 2021–2029 Oxnard Housing Element *and* demonstrates consistency with the CAAP by completing the CAAP Consistency Review Checklist, then the project would be considered consistent with the CAAP and would be eligible for CEQA streamlining of its project-level GHG analysis.
- If a project would not be consistent with the General Plan land use or zoning designations, but the project would result in fewer GHG emissions per service population than the future no-project development based on existing land use designations at the project site, then the project can still demonstrate consistency with the CAAP by completing the CAAP Consistency Review Checklist; the project would then be considered consistent with the CAAP and would be eligible for CEQA streamlining of its project-level GHG analysis.
- Also, if a project would achieve net-zero GHG emissions compared to existing on-site development at the project site, provided that existing on-site development is similar to the

proposed project and that GHG emissions from existing on-site development are not substantially larger than emissions from the proposed project, the project would be considered consistent with the 2045 CAP and would be eligible for CEQA streamlining of its project-level GHG analysis.

- If a project could not demonstrate consistency with the CAP by completing the CAAP Consistency Review Checklist or by implementing equivalent replacement strategies as provided for in the CAAP Consistency Review Checklist, then a project-specific GHG analysis would be required.

Consistency with General Plan Land Use Assumptions.

Projects consistent with the demographic forecasts and land use assumptions used in the CAAP can use the CAAP Consistency Review Checklist to demonstrate consistency with the CAAP. If consistent, these projects could rely on the programmatic environmental review contained in the Addendum to the PEIR for the 2030 General Plan.

If a project would not be consistent with the General Plan's land use designations, then it would not be eligible for streamlining by using the CAAP Consistency Review Checklist. Projects inconsistent with the General Plan's land use designations would prepare a project-specific analysis of GHG emissions. Such an analysis would quantify existing and projected GHG emissions for the project and incorporate applicable items from the CAAP Consistency Review Checklist to the maximum extent feasible, along with any identified project-specific mitigation measures.⁶

G. CAAP Monitoring and Reporting

To ensure that the CAAP remains qualified for use with later activities under CEQA Guidelines Section 15183.5(b)(2) and that the CAAP Consistency Review Checklist remains valid, Chapter 5 of the CAAP describes the following monitoring and reporting responsibilities, which would be administered by the City:

- City staff will annually present updates to the City Manager and the City Council that summarize CAAP implementation progress. Annual updates will be undertaken in conjunction with the Housing Element Annual Progress Report and General Plan Progress Report. The CAAP Annual Report will evaluate the successes and challenges in meeting the performance objectives for each strategy, as listed in Chapter 3 and Table 5 2, and summarize progress toward the City's 2030 GHG reduction target. The report will provide the status of implementation (e.g., initiated, ongoing, completed) for each action, assess the effectiveness of the strategies and programs included in the Plan against the established performance objectives, and recommend adjustments to programs or tactics as needed. The annual report will also assess whether the City's actual growth and development is consistent with the forecasts made in the CAAP. Tracking the 2030 performance goals for each GHG reduction strategy on a periodic basis will inform the City and community over time as to how the

⁶ As noted above, projects not consistent with the General Plan's land use designations can still demonstrate consistency with the CAAP if the project results in fewer GHG emissions per service population than the future no-project development based on existing land use designations at the project site. This emissions level must be documented using project-specific GHG emissions modeling. See Appendix G to the CAAP for more information.

CAAP implementation strategies are working towards achieving GHG reduction targets, and will help the City prioritize actions in future CAAP updates.

- The City will conduct an update of the community GHG inventory at least every five years to monitor progress of GHG reductions against the 2030 target.
- City staff will evaluate the CAAP and the CAAP Consistency Review Checklist every five years (at minimum), or when the General Plan undergoes a significant update, to determine whether CAAP updates are necessary.

IV. General Plan and PEIR

As indicated above, the PEIR analyzed the adoption of the 2030 Oxnard General Plan Update (General Plan). The General Plan Update is a comprehensive update of the 2020 General Plan, and is a long-range plan for the physical development of the City. The General Plan is intended to address changes in the City since preparation of the current 2020 General Plan. The 2030 General Plan establishes a planning framework and goals and policies through the year 2030 and replaces the existing 2020 General Plan in its entirety. The General Plan is intended to address key issues such as population growth, minimizing the loss of agricultural land, providing affordable housing, providing a better use of land, reducing incompatible development, addressing environmental issues such as GHGs, water supply, and alternative energy sources.

The General Plan Update is comprised of the following components:

- Chapter 2, Sustainable Community, was created in response to the emergence of global warming, climate change, and renewable and alternative energy production and conservation as critical issues related to long-term sustainable development. This chapter includes background information as these topics were not anticipated when the 2006 Background Report was prepared.
- Chapter 3, Community Development, establishes goals and policies for the distribution and intensity of land use types. The focus of this element is on revitalization of existing neighborhoods and new development within the community, and continued greenbelt and agriculture uses within the surrounding Planning Area.
- Chapter 4, Infrastructure and Community Services, sets goals and policies for traffic and circulation, long-term water supply, parks, public safety, schools, and other public and semi-public facilities and services.
- Chapter 5, Environmental Resources, addresses the conservation, development, and use of natural resources, and also explores the managed production of resources, significant buildings and historic sites, water resources, biological, and agricultural resources.
- Chapter 6, Safety and Hazards, addresses seismic and geologic hazards, flooding, tsunamis, hazardous materials and wastes, emergency preparedness, and other hazards.
- Chapter 7, Military Compatibility, is a State-recommended element focused on the City's geographic and functional relationship to the NBVC facilities and operations.
- Chapter 8, Housing Element, is a stand-alone document that is separately required by the State Department of Housing and Community Development. To meet mandated State

requirements and timelines, the Housing Element was prepared for adoption by the City Council on a separate schedule. The City Council adopted the 2021-2029 6th Cycle Housing Element on October 5, 2021.

- Chapter 9, Implementation, assigns the policies to various City departments for implementation. This chapter includes a procedure for determining consistency with the 2030 General Plan.

The PEIR analyzes the environmental impacts related to implementation of the General Plan Update. As no specific developments were proposed as part of the General Plan Update, the PEIR was prepared on a programmatic level.

The issue areas evaluated under the PEIR include the following, based on the CEQA Guidelines and Appendix G that was in effect at the time:

- | | |
|---------------------------------------|--|
| • Aesthetics | • Natural Hazards |
| • Agriculture and Soil Resources | • Mineral Resources |
| • Air Quality and Climate Change | • Noise |
| • Biological Resources | • Energy Resources and Conservation |
| • Cultural Resources | • Public Facilities Services |
| • Geologic, Seismic, and Soil Hazards | • Parks and Recreation |
| • Hazardous Materials and Uses | • Circulation, Traffic, and Transportation |
| • Land Use | • Utilities |

The PEIR determined the General Plan Update would cause significant and unavoidable impacts to transportation (level of service), climate change, agriculture (conversion of farmland) air quality (criteria air pollutants) and noise (noise and vibration). All other resources areas were determined to have impacts that were either less than significant or less than significant with mitigation. Mitigation measures adopted by the City take the form of new or modified policies in the 2030 General Plan.

V. Comparative Analysis of Impacts

As indicated above, Section 15162 of the CEQA Guidelines states that one of the conditions that would warrant preparation of a Subsequent EIR is if substantial changes are proposed in the project which would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. An analysis was conducted to compare the impacts of the CAAP with the impacts analyzed in the PEIR for the General Plan, using Appendix G of the 2022 CEQA Guidelines.⁷ As shown below in **Table 6, Comparison of the CAAP Relative to the PEIR**, the CAAP would not result in new significant impacts or substantially more severe significant project or cumulative impacts than those previously identified in the PEIR.

Since no new or substantially more severe significant impacts would occur as a result of the CAAP, a Subsequent EIR would not be required to evaluate the CAAP pursuant to Section 15162 of the CEQA Guidelines.

⁷ Note that Appendix G has undergone several changes since the PEIR was certified, and this Addendum uses the 2022 version of Appendix G in its analysis, as presented in Table 6.

TABLE 6
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
Aesthetics		
a) Scenic vista	Less than significant. Construction of future projects that could be facilitated by the General Plan could result in short term, temporary changes to local visual conditions that would be considered less than significant. Additionally, policies identified in the General Plan are designed to promote enhancement of the City's visual quality through preservation of existing open space, preservation of historic resources and neighborhoods and the incorporation of design features. While build out of the General Plan could result in changes to existing views, impacts are considered to be less than significant .	Implementation of the CAAP could result in short term construction impacts that would be temporary, minor and of relatively short duration. Implementation of the CAAP could result in minor, long-term adjustments to scenic vistas due to the construction of infrastructure such as ZEV charging stations or the installation of PV panels which could be visible from scenic vistas. Many of the CAAP strategies and implementing actions would result in beneficial impacts due to planting of tree and protecting open spaces. Some CAAP actions could result in long-term changes that could result in visual changes such as the construction of community solar projects or expansion of ZEV charging stations, or adjust existing roadway designs to include bike paths etc. Projects implementing the CAAP would be required to comply with design requirements policies presented in the General Plan to protect scenic vistas, and would not result in impacts that are more severe than those identified in the PEIR.
b) Scenic resources	Less than significant. While there are no officially designated state scenic routes within the Planning Area; however, both Highway 101 and State Route 1 are eligible to be scenic routes and the City and County have selected multiple routes for the City's Scenic Highway System. The General Plan includes goals and policies required to protect scenic resources including scenic routes and future development associated with the Project would be required to implement the community character goals and policies in the General Plan and would be subject to design review. Impacts are considered to be less than significant.	Strategies and implementing actions in the CAAP would not damage or affect scenic resources or scenic routes. While some actions included in the CAAP could result in short-term construction impacts that may be visible from scenic routes, such impacts would be no worse than those identified in the PEIR. Additionally, all projects implementing CAAP actions would be required to comply with the goals and policies in the General Plan designed to protect community character and scenic resources. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR.
c) Conflict with zoning and other regulations governing scenic quality	Not evaluated in the PEIR	Projects implementing the CAAP would be required to be consistent with General Plan policies intended to protect scenic quality. Therefore, implementation of the CAAP would not result in any new impacts with respect to this criterion.
d) Light and glare	Less than significant Build out of the General Plan would increase the amount of light and glare in areas that currently have no existing sources of development related light and glare. The General Plan also includes several policies designed to minimize light and glare impacts the application of which would reduce impacts to a less than significant level.	Implementation of the CAAP could result in some small adjustments to existing development, such as building retrofits or rooftop solar PV projects which could create minor sources of light and glare. Solar PV panels are constituted of multiple solar cells which are designed to capture solar energy in order to convert it into usable energy. Therefore, solar panels are designed to be as absorptive as possible in order to maximize the efficiency of energy production. Additionally, PV panels typically are covered with a tempered glass layer that is treated with an anti-reflective coating that further reduces the reflectivity of the panels. When compared to common reflective surfaces, solar panels without an anti-reflective coating are found to produce around the same amount of reflectivity as water, which is about half the amount of reflectivity as

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
		standard glass that is commonly used in residential or commercial applications (Shields 2010). Additionally, the solar projects that would be facilitated by the CAAP are likely to be small projects located on rooftops or in parking lots and would not include large arrays of panels. Rooftop solar projects would be required to comply with the City of Oxnard's requirements and standards for rooftop solar projects which are contained in Article 24 of the Municipal Code. Furthermore, all projects would be required to comply with the policies identified in the General Plan that are intended to minimize impacts from light and glare. Impacts would not be greater than what was disclosed in the PEIR. Thus, similar to the PEIR, implementation of the CAAP would have a <i>less-than-significant</i> impact.
Agriculture and Forestry Resources (Agriculture and Soil Resources in PEIR)		
a) Prime Farmland, Unique Farmland, or Farmland of Statewide Importance	Significant and Unavoidable. Implementation of the General Plan would convert up to 2,000 acres of important farmland due to future development. The General Plan does include policies intended to preserve farmland and agricultural resources. However, even with implementation of these policies, impacts would remain significant and unavoidable.	The CAAP does not include any policies that would result in development that could convert agricultural land. Additionally, the CAAP includes strategies to preserve agricultural land and open space and to encourage the City to work with partners to prepare the agricultural industry for the impacts of climate change. Therefore, implementation of the CAAP would have beneficial impacts to important farmland and would not result in impacts that are more severe than those identified in the PEIR.
b) Zoning for agricultural use or Williamson Act contract	Less than Significant. Implementation of the General Plan could result in the conversion of up to 300 acres of land under Williamson Act contract. The General Plan also includes policies intended to protect agricultural resources. Therefore, impacts of the General Plan on Williamson Act contracts are considered less than significant.	Implementation of the CAAP would involve projects that would be located within the urbanized areas of the City, such as retrofits of existing buildings, new EV charging stations, and new or expanded bike routes etc. Projects that would be facilitated by the CAAP are expected to be located within areas used for agricultural operations or within areas that are under Williamson Act contract; implementation of the CAAP is not expected to result in conflicts with parcels under Williamson Act contracts, and would not result in impacts that are more severe than those identified in the PEIR.
c) Conversion of Farmland or forest land to non-agricultural/forest land use	Less than Significant. Implementation of the General Plan could result in indirect "edge effects" that could impact agricultural resources such as noise dust, odors etc. However, policies and implementation programs that are included as a part of the General Plan would reduce the potential for these impacts to a less than significant level.	The CAAP does not change the land use designations in the General Plan. As described above, implementation of the CAAP would involve projects that would be located within the urbanized areas of the City, such as retrofits of existing buildings, new EV charging stations, and new or expanded bike routes etc. Such projects are not expected to involve major construction that could result in indirect impacts to agricultural land uses. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR.
d) result in substantial erosion or loss of topsoil	Less than Significant. Some locations within the Planning Area of the General Plan are identified as areas with a High to Very High susceptibility to erosion although most areas within the Planning Area have a moderate susceptibility to erosion. Development within the planning area could result in an increase in erosion due to an increase in impervious surfaces and short-term construction	Implementation of the CAAP is not likely to result in an increase in impervious surfaces that in turn could result in an increase in erosion. Conversely, the CAAP includes strategies (e.g., SF-1 and SF-5) to reduce stormwater runoff and flooding through low-impact development and more green infrastructure (e.g., bioswales, green roofs, rain gardens, pervious surfaces, etc.), which in turn will

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
	activities. Policies included in the General Plan would require the City to minimize erosion impacts through the protection of open space and agricultural lands. Additionally, projects resulting from the General Plan would be required to comply with local and state requirements for erosion control and grading. Therefore, impacts are less than significant.	reduce erosion and loss of topsoil. While implementation of the CAAP could result in some construction of projects, construction is expected to be minor, and impacts would not be greater than what was disclosed in the PEIR. Additionally, projects implementing the CAAP would be required to comply with state and local requirements including General Plan policies for erosion prevention which would ensure impacts are less than significant. Therefore, as with the PEIR, impacts would be less than significant.
e) result in coastal wave or beach erosion	Less than Significant. Coastal erosion is caused by wave action from high winds or tides and can be exacerbated by human activities such as building sea walls and jetties. Rising sea levels are accelerating coastal erosion. Buildout of the General Plan would introduce very little development along the coastline. Additionally, the General Plan includes policies that would minimize development impacts in areas subject to beach erosion and includes other goals and policies related to the preservation of coastal areas. Therefore, impacts would be less than significant.	Implementation of the strategies included in the CAAP is not likely to result in development projects along the coastline that could worsen coastal erosion. Additionally, coastal erosion is worsened by rising sea levels which are caused by rising global temperatures. The CAAP includes strategies to reduce GHG emissions, which is needed at a global scale to slow global warming along, which contributes to rising sea levels and worsening coastal erosion. Additionally, while the CAAP does not include specific strategies or policies to address sea level rise, the Community Vulnerability and Adaptation chapter of the CAAP identifies strategies to increase the resilience of the Oxnard community and infrastructure to climate change impacts such as increased erosion (see Table 5). Therefore, the CAAP would result in beneficial impacts and would not result in impacts that are more severe than those identified in the PEIR.
Air Quality		
a) Conflict with air quality plan	Less than significant. The Ventura County Air Pollution Control District Air Quality Management Plan uses population forecasts from the Southern California Association of Governments (SCAG) which are incorporated into the Regional Transportation Improvement Program (RTIP). The population growth assumptions used in the General Plan project a population in 2030 that is less than that forecasted by SCAG. Therefore, implementation of the General Plan would not result in conflicts with an air quality plan and impacts would be less than significant.	The CAAP uses updated population forecasts from SCAG that are lower than the population forecasts used in the General Plan. The CAAP would not generate population growth that could create conflicts with the population assumptions used in the VCAPCD AQMD. Additionally, while the goal of the CAAP is to reduce GHG emissions through strategies such as reductions in VMT, increases in energy efficiency and the use of renewable energy these changes would also result in beneficial impacts to air quality. While implementation of the CAAP could result in the construction of small infrastructure projects, construction of these projects is not expected to result in conflicts with the AQMP, and would not result in impacts that are more severe than those identified in the PEIR. Therefore, similar to the PEIR, the CAAP would result in less than significant impacts.
b) Criteria air pollutants	Significant and Unavoidable. The General Plan would facilitate future population growth that could result in additional local and regional vehicle emissions that could contribute to the VCAPCD's nonattainment status. While policies included in the General Plan would reduce pollution impacts from development and population growth, impacts would remain significant and unavoidable.	Implementation of the CAAP could result in the construction of new infrastructure such as EV charging stations, rooftop solar PV, bike paths, and pedestrian pathways. These types of projects are not likely to require significant construction that would result in criteria air pollutants that would exceed the SCAMQD's project-level significance thresholds. Their construction would not result in impacts that are more severe than those identified in the PEIR. The CAAP is designed to reduce GHG emissions generated within the city by

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
		increasing the use of zero emissions vehicles, reducing VMT, using renewable energy, increasing energy efficiency, planting trees, increasing urban greening, etc. While these measures would reduce GHGs, they would also improve overall air quality in VCAPCD by reducing the emissions of criteria air pollutants. Therefore, CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
c) Sensitive receptors	Less than significant. Construction of projects implementing the General Plan could cause temporary, short-term emissions of various air pollutants including reactive organic gases (ROG), nitrous oxides (NOx), and particulate matter (PM10 and PM 2.5) that could expose sensitive receptors to pollutants. However, the General Plan also includes a number of policies that are intended to reduce the impacts of pollution on sensitive receptors and ensuring that future development includes compatible land uses or mitigation to lessen the impacts of pollution on sensitive receptors. Incorporation of policies included in the General Plan that are designed to reduce construction related emissions would reduce the potential for sensitive receptors to be impacted by air pollution. Therefore, impacts would be less than significant.	Implementation of the CAAP could result in the construction of new infrastructure such as EV charging stations, rooftop solar PV, bike routes, pedestrian pathways, and recycled water pipeline infrastructure. Construction of these types of projects is expected to be minor and is not likely to require significant construction that could expose sensitive receptors to substantial toxic air contaminant emissions. Additionally, the construction of projects to implement the CAAP would be required to comply with the policies outlined in the General Plan to reduce air pollution impacts. Construction would not result in impacts that are more severe than those identified in the PEIR. The CAAP also includes strategies to prioritize urban greening near vulnerable communities and sensitive receptors in order to reduce the impacts of air pollution which would result in a beneficial impact under this criterion. The CAAP is intended to reduce GHG emissions generated within the city by increasing the use of zero emissions vehicles, reducing VMT, using renewable energy, increasing energy efficiency, planting trees, and increasing urban greening. While these measures would reduce GHGs, they would also improve overall air quality in VCAPCD and reduce air pollution near sensitive receptors. Therefore, impacts would be no more severe than those identified in the PEIR.
d) Objectionable odors	Less than significant. Buildout of the General Plan could result in construction activity that would require the operation of equipment which may generate exhaust from gasoline or diesel fuel. Additionally, construction of new buildings may require paint and the paving of roads could generate odors. However, these odors are expected to be temporary, short-term, and minor. Future residential and commercial development could result in minor, odor-generating activities such as the use of barbecues and garden equipment. However, these types of odors are typical and the City has a number of policies which would address nuisance odors. Therefore, impacts are less than significant.	Construction associated with implementation of the CAAP is expected to be minor and would not result in significant odors or to long-term increases in odors. With regards to potential operational odors, the CAAP includes strategies to increase composting and address waste management within the City. However, these projects would also be subject to city policies governing nuisance odors which would reduce impacts to a less than significant level. Further, these projects would be subject to SMAQMD rules for controlling nuisance emissions, such as those leading to odors, from community sources, including SCAQMD Rule 402, 410, 1138, and 1133. CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
Biological Resources		
a) Special status species	Less than Significant. A majority of the Planning Area consists of agricultural and urban land uses; however riparian habitat is present near the Santa Clara River and Marine Coastal Scrub, and Saline Emergent Wetland habitats can be found along the western or coastal portion of the planning area. Sensitive plant species are known to occur in these habitats. Implementation of the Project could result in some development in these areas which could have a significant effect on sensitive habitats and special status species due to 1) the conversion of sensitive habitats to development sites, 2) increased interaction between wildlife and humans, and 3) habitat fragmentation. However, the General Plan also includes the designation of habitat areas in order to protect habitat and includes policies and measures created to protect and preserve biological resources. Generally, the buildout of the General Plan would focus development away from sensitive habitat areas and would implement a number of comprehensive policies designed to minimize biological resource impacts. Impacts would be less than significant.	Construction associated with implementation of the CAAP would likely be located in the developed areas of the City and not in areas of the City that contains habitat supporting special-status species. Additionally, the CAAP contains strategies and implementing actions that would encourage the preservation of agricultural lands, open space, and wetlands, which would result in habitat preservation and would support biodiversity within Oxnard (Strategy N1 and implementing actions). Therefore, implementation of the CAAP would have long-term beneficial impacts for special status species. CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
b) Riparian habitat or other sensitive natural community	Less than Significant. Areas along the Santa Clara River contain Valley Foothill Riparian, Annual Grassland, Marine, and other sensitive natural communities and habitats. The coastal area of the Planning Area, specifically the southwestern portion, contain Saline Emergent Wetland and Marine habitats. Policies and implementation measures included as part of the General Plan would minimize impacts to these sensitive natural communities or habitats. Specifically, the General Plan includes policies to protect preserve and enhance wetland and lagoon habitats, protect the coastline, and habitat along the Santa Clara River. Therefore, because the General Plan would focus future development away from sensitive habitat and would include policies to protect sensitive habitats, the Project would have a less than significant impact.	The CAAP does not change the land use designations of the 2030 General Plan, and does not include strategies or implementation actions that encourage development in areas of the City that contain riparian habitat or sensitive natural communities. Construction associated with implementation of the CAAP would likely be located in the developed areas of the City and not in areas of the City that contains habitat supporting special-status species. Additionally, the CAAP includes strategies and implementation actions to protect habitats and green spaces in order to increase carbon sequestration (Strategy N1 and associated implementation actions). No new impacts are identified With CAAP implementation. Therefore, as with the PEIR, the CAAP would have a less than significant impact.
c) Federally protected wetlands	Less than significant. Development resulting from build out of the General Plan could result in indirect and direct adverse impacts to saline emergent wetland and marine habitats in the Planning Area. There are a number of policies and implementation measures included in the General Plan that would minimize these impact including policies to encourage preservation of Ormond Beach Mugu Lagoon, the Santa Clara River, and McGrath Lake as well as other policies to reduce encroachment on sensitive habitats and require mitigation to avoid impacts to sensitive habitat areas. Therefore, impacts would be less than significant.	The CAAP does not change the land use designations of the 2030 General Plan, and implementation of the CAAP would not involve development or construction in wetland areas. Additionally, the CAAP includes strategies and implementation actions to protect habitat areas such as wetlands in order to increase carbon sequestration (Strategy N1 and associated implementation actions). No new impacts are identified With CAAP implementation. Therefore, as with the PEIR, the CAAP would have a less than significant impact.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
d) Movement of any native resident or migratory fish or wildlife species	Less than Significant. Several areas within the Planning Area (in particular the Santa Clara River and the riparian areas that border it) are used as migration corridors for wildlife. Development resulting from build out of the General Plan has the potential to cause an increase in vehicular traffic levels and nighttime light levels near sensitive habitat areas which could deter wildlife movement in the area. However, policies and implementation measure that would be included as part of the General Plan would minimize the impact of development on wildlife migration corridors. Impacts would be less than significant.	Projects implementing the CAAP would not increase vehicular traffic or noise near sensitive habitats or wildlife migration corridors. Additionally, the CAAP is not likely to encourage projects that would be built near wildlife migration corridors and could have indirect impacts on wildlife movement. Finally, the CAAP includes strategies and measures that encourage the preservation of open space, green ways, and habitat which has the potential to have long-term beneficial impacts on the movement of wildlife. No new impacts are identified With CAAP implementation. Therefore, as with the PEIR, the CAAP would have a less than significant impact.
e) Local policies or ordinances protecting biological resources	Less than significant. The General Plan has been developed to include policies designed to protect a variety of biological resources including trees. Future projects resulting from the General Plan would be required to comply with all relevant policies and ordinances relating to tree preservation and the preservation of biological resources. The General Plan is consistent with the Local Coastal Plan and the Coastal Zoning Code. As the General Plan includes a number of policies and implementation actions intended to protect biological resources, buildout of the General Plan would not conflict with local policies or ordinances protecting biological resources and impacts would be less than significant.	The CAAP is not expected to result in large development projects that could create a conflict with policies intended to protect biological resources. Additionally, any projects that result from the CAAP would be required to comply with the policies included in the General Plan that are intended to protect biological resources, and would not result in impacts that are more severe than those identified in the PEIR. No new impacts are identified With CAAP implementation. Therefore, as with the PEIR, the CAAP would have a less than significant impact.
f) An adopted Habitat Conservation Plan	No impact. Neither an HCP nor an NCCP has been prepared for a jurisdiction that would apply to the Oxnard Planning Area. As such, no conflict between the policies and goals of the General Plan and the policies of an adopted HCP or NCCP exist. Consequently, there is no impact.	There are no designated HCPs or NCCPs within the City of Oxnard. Therefore, implementation of the CAAP would not result in a conflict with a designated HCP or NCCP. There would be no impact.
Cultural Resources		
a) Historical resource	Less than significant. There are 31 recorded previously recorded historic resources within the Planning Area. Development and infill activities have the potential to threaten historic resources. A key goal of the General Plan is to preserve cultural resources. In particular, the Community Development Chapter includes policies designed to protect historic qualities of the City and the City's unique historic and traditional neighborhood. The General Plan includes a policy that requires infill development to respect historic structures and be of a comparable scale and character to surrounding historic areas. As a result, with implementation of policies intended to protect historic resources, impacts would be less than significant.	Implementation actions included in the CAAP are not likely to result in large development projects that could impact historic resources. While implementation of the CAAP could result in the construction of EV charging stations, retrofitting of buildings to improve energy efficiency, or the construction of bike lanes or other transit improvements, these types of developments are expected to require minor construction and are not expected to create inconsistencies in neighborhood character. Additionally, any projects resulting from the CAAP would be required to be consistent with the policies presented in the General Plan to protect historic resources. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR. Therefore, as with the PEIR, the CAAP would have a less than significant impact.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
b) Archaeological resources c) Human remains	Less than significant. The Planning Area contains number prehistoric cultural resources including 12 prehistoric sites and 7 isolates. It is possible that archaeological deposits could be encountered in the Planning Area. However, due to the fact that the Planning Area is a flat, alluvial plain, the probabilities for prehistoric sites would be low in the area south of the Santa Clara River. Regardless archaeological resources and/or human remains could be damaged or inadvertently unearthed during ground-disturbing activities. The General Plan includes policies that establish protocols for the identification of archaeological resources, identify resource discovery measures and require development applicants to conduct records searches. In order to reduce potentially significant impacts to archaeological resources to a less than significant level additional mitigation measures in the form of additionally General Plan policies are required. Modified Policy ER-12.6 requires that grading and construction work on project sites be suspended if archaeological features are found until the significance of the feature can be determined by a qualified archaeologist or paleontologist. Modified Policy ER-12.9 requires that the city consult with Native American representatives regarding cultural resources in order to identify locations of importance to Native Americans, including archaeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project.	Implementation of the CAAP is not expected to result in projects that would require significant earthwork outside of previously disturbed areas. Implementing projects are likely to be located in developed areas of the City that have been previously disturbed and where the potential for disturbance of a prehistoric resource or human remains is not as high. Additionally, the incorporation of modified General Plan policies ER-12.6 and ER-12.9 would ensure that tribal and archaeological experts are consulted in the event that an archaeological resource is discovered during earth work on a project site. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR. Therefore, as with the PEIR, the CAAP would have a less than significant impact.
Energy		
a) Energy consumption b) Plan for renewable energy or energy efficiency	Less than significant. New development anticipated with buildout of the Project would be the primary contributor to increased energy use within the Planning Area. New development could place increased demand on regional energy generation, transmission, and distribution facilities. Development has the potential to require the construction of new energy generation facilities. As no energy generation facilities are proposed as part of the General Plan, the environmental impacts of such facilities will be evaluated on a project-by-project basis. The General Plan includes policies that are intended to reduce energy consumption and increase the use of renewable energy. These include policies to increase the use of solar and wind generation and increase the use of waste conversion to energy facilities. The General Plan also includes policies to increase energy efficiency higher than Title 24 requirements and to encourage green building design, and encourage land uses and projects that reduce VMT. With implementation of these policies, impacts would be less than significant.	A primary objective of the CAAP is to reduce GHG emissions to 40 percent below 1990 levels by 2030. Some of the key strategies in the CAAP to reduce GHG emissions include procuring zero carbon electricity, increasing solar energy generation, developing microgrids and energy storage, improving the energy efficiency of buildings, supporting the expansion of ZEV infrastructure, transitioning city fleets to greener alternatives, and supporting transit in order to reduce VMT. Together these strategies will result in significant long-term reductions in energy consumption and will reduce the City's reliance on fossil fuels. While the construction of projects to implement these strategies may require short-term increases in energy consumption, that increase will be outweighed by the long-term reductions in operational energy consumption. Additionally, by reducing the City's reliance on grid-supplied energy, increasing local renewable energy production, and increasing the energy efficiency of buildings within the City, the CAAP would support state, regional, and local plans for renewable energy and energy efficiency. The CAAP would have beneficial impacts with regard to these criteria and would have no adverse impact on either energy consumption or any plan for renewable energy or energy efficiency.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
Geology and Soils		
a) Exposure to potential substantial adverse effects from rupture of a known earthquake fault, seismic groundshaking, seismic ground failure, or landslides	Less than significant. Most of the Planning Area is susceptible to earthquake related risks as well as liquefaction due to underlying alluvial deposits and high groundwater levels. The General Plan includes a number of policies and implementation measures would minimize the impact of these geologic hazards. The policies include the preparation of soil, geologic, or structural evaluation reports, requiring that new construction adhere to the Uniform Building Code, and that the City avoid development in areas of the City with known geologic hazards. With the implementation of these policies, impacts would be less than significant	Implementation of the CAAP could result in the development of structures such as EV charging stations and bike paths that do not expose people to potential seismic hazards. Other potential projects, such as resilience hubs, and retrofits of existing buildings with more efficient energy and water systems, would involve construction that would have to be done in compliance with the City's building code and requirements regarding soil, geologic, or structural evaluation. Additionally, any projects implementing the CAAP would be required to comply with the policies identified in the General Plan to reduce exposure to seismic risks as well as state law intended to reduce exposure to seismic risks, including the Uniform Building Code. They would not result in impacts that are more severe than those identified in the PEIR. Therefore, similar to the PEIR, impacts would be less than significant.
b) Substantial soil erosion	Evaluated under Agriculture and Soil Resources	Evaluated under Agriculture and Soil Resources
c) Geologic unit or soil that is unstable	Less than Significant. The Planning Area is not located within or bisected by a delineated Alquist-Priolo Earthquake Fault Zone; however, seismic-related hazards exist because of the proximity to active faults. Other geologic characteristics found in the Planning Area increase the likelihood for subsidence, liquefaction, and lateral spreading. The Planning Area is primarily level and has not been identified as being within a zone requiring investigation for earthquake-induced landslide Portions of the Planning Area near Hueneme Road and Rice Avenue are subject to subsidence and seismic ground shaking which can induce further subsidence. The General Plan includes a number of policies which address the issue of subsidence. Additionally, policies in the General Plan require soil, geologic, or structural evaluation reports to be prepared as part of the approval process of new structures and the General Plan includes policy to avoid new construction in areas with known geologic hazards. With the incorporation of these measures, impacts would be less than significant.	Implementation of the CAAP could result in the development of some structures such as EV charging stations, resilience hubs, or the retrofitting of existing buildings with more efficient energy and water systems. Such projects would be required to comply with the policies identified in the General Plan to reduce exposure to seismic risks as well as state law intended to reduce exposure to seismic risks. Compliance with these regulations and policies would ensure that any structures are located outside of areas with known geologic hazards and that they are constructed using methods to reduce the impacts of unstable geology. Construction of these projects would not result in impacts that are more severe than those identified in the PEIR. Therefore, similar to the PEIR, impacts would be less than significant.
d) Expansive soil	Less than Significant. Expansive soils are found throughout Ventura County but are concentrated in a few places including portions of the Ojai valley, the Camarillo Hills, and areas around the City of Moorpark. Potential impacts associated with expansive soils are considered to be minimal as soils and engineering reports which consider expansive soils are required as part of the development approval process. These reports identify whether expansive soils are present and whether engineering solutions are possible to minimize damage from expansive soils. Additionally, the General Plan includes additional policies developed to reduce the risk of impacts from geologic hazards and soil hazards. Therefore, with implementation of these measures, impacts would be less than significant.	Implementation of the CAAP has the potential to result in projects that could be located in areas with expansive soils. While the CAAP would not result in large developments, small projects such as resilience hubs could be located on expansive soils. An evaluation of expansive soils would be required through the development approval process which would reduce the potential for projects implementing the CAAP to be impacted by expansive soils. Additionally, projects implementing the CAAP would be required to comply with policies in the General Plan intended to reduce impacts of geologic hazards. Construction of these projects would not result in impacts that are more severe than those identified in the PEIR. Therefore, similar to the PEIR, impacts of the CAAP would be less than significant.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
e) Soils incapable of supporting septic tanks or alternative waste water disposal systems	Not evaluated in the PEIR.	Implementation of the CAAP is not expected to result in projects that require septic tanks or alternative waste water disposal systems. In the event that wastewater services are required for a project implementing the CAAP (such as a new resilience hub), sewer services would be provided by the City of Oxnard. No new impacts associated with this criterion are identified with implementation of the CAAP.
f) Destroy a unique paleontological resource or geological feature	Less than Significant, with mitigation. Policies within General Plan establish protocols to address archaeological resources including preproject activities and resource discovery measures, as well as policies that require development applicants to conduct records searches, and that require compliance with CEQA guidelines if human remains of possible Native American origin are discovered during project construction. In addition, the PEIR includes a mitigation measure that requires that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist in the event that archaeological/paleontological resources are discovered during site excavation. With implementation of this mitigation measure, impacts would be less than significant.	Any project resulting from Implementation of the CAAP would have to follow the same General Plan policies and mitigations, and would not result in impacts that are more severe than those identified in the PEIR.
Greenhouse Gas Emissions (Air Quality and Climate Change in PEIR)		
a) GHG emissions b) Plan to reduce GHG emissions	Significant and Unavoidable. Buildout of the General Plan would result in population growth and would result in both stationary and mobile sources of GHG emissions as a result. Construction of projects would result in short-term emissions of CO₂ from construction equipment during grading and excavation and other building activities. Actual significance of construction emissions would be determined on a project level basis. Operational impacts would result from local and regional vehicle emissions generated from future population growth associated with buildout of the proposed Project. Direct emissions from project vehicle traffic could result in an additional 10,736 metric tons of CO₂ per year. This estimate does not include indirect emissions from electricity usage. The Project could conflict with state AB 32 goals to reduce greenhouse gas emissions. In order to reduce impacts to the greatest extent feasible, the following new policies and implementation measures are proposed. - Policy SC-1.4: Support Climate Action Team Emission Reduction Strategies. The City will continue to monitor the activities of the Climate Action Team (CAT) as they continue to develop a recommended list of emission reduction strategies. As appropriate, the City will evaluate each new project under the updated General Plan to determine its consistency with the CAT emission reduction strategies. - Policy SC-1.5: Support Offsite Measures to Reduce Greenhouse Gas Emissions. The City will support and encourage the use of off-site	As described in the Project Description, above, the CAAP is intended to implement General Plan Policy SC-1.3 to develop a Climate Action and Adaptation Plan that supports the region's Sustainable Communities Strategy. The CAAP establishes a target to reduce GHG emissions in the City to 40 percent below 1990 levels by 2030. This target is consistent with the statewide GHG target mandated by SB 32. The CAAP includes strategies and actions to reduce emissions and demonstrates how the City will achieve the 2030 target. The CAAP is also closely aligned with the Regional Transportation Plan and Sustainable Communities Strategy for Southern California, the Oxnard General Plan, the Oxnard Energy Action Plan, the Bicycle and Pedestrian Facilities Master Plan and other regional and local plans to reduce GHG emissions. The CAAP will reduce GHG emissions within the City of Oxnard and it is consistent with state and regional plans to reduce GHG emissions. While a minor amount of temporary emissions may result from construction of some CAAP projects, implementation of the CAAP will result in long term cumulative reductions in GHG emissions in the City of Oxnard. The CAAP would have beneficial impacts with regard to GHG emissions and thus would have no adverse impact.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
	measures or the purchase of carbon offsets to reduce greenhouse gas emissions. Implementation Measure 55.0: The City shall develop and maintain a Climate Change Action and Adaptation Plan (CCAAP). The CCAAP shall include the following elements: an emissions inventory, emission reduction targets, applicable greenhouse gas control measures, and monitoring and report plan. However, even with implementation of these policies, impacts would be significant and unavoidable.	
Hazards and Hazardous Materials		
a) Routine transport, use, disposal, or b) release of hazardous materials	Less than significant. Hazardous materials are regularly used, transported, and disposed of in the City of Oxnard. The development of additional residential, commercial, and industrial uses would increase the amount of hazardous materials transported, used, or disposed of in the City. The General Plan includes many policies and implementation measures developed to reduce exposure to hazardous materials. Policies include requirements to prevent hazardous materials accidents, the designation of truck routes for hazardous materials, requirements for proper handling, and disposal or recycling of hazardous materials, land use considerations and land use compatibility and reporting requirements. Therefore, with the implementation of these policies and measures, impacts are considered less than significant.	Implementation of the CAAP could involve the construction of EV charging or hydrogen fueling infrastructure, the installation of PV panels, and other projects that could involve the use and transport of hazardous materials during Project construction. Projects implementing the CAAP would be required to comply with state requirements that regulate the use and transport of hazardous materials as well as the policies and implementation measures established in the General Plan. The implementation of these policies and measures would ensure that CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
c) Hazardous materials within 0.25 mile of a school	Less than significant. Buildout of the General Plan would result in population growth and could necessitate the construction of new schools. The location of new schools would be evaluated based on their proximity and potential exposure to hazardous materials and would be required to comply with state requirements regarding the siting of schools near areas with potential exposure to hazardous materials and natural hazards. Additionally, policies included as part of the General Plan would minimize impacts including policies that require that hazardous land uses and industrial land uses be located away from sensitive land uses. With the implementation of these policies impacts would be less than significant.	Implementation of the CAAP would not result projects that would routinely emit hazardous emissions or handle hazardous materials. The development of energy or transportation infrastructure could require the use of hazardous materials during construction. However, these projects would be required to comply with General Plan policies regarding the use of hazardous materials near sensitive uses and the separation of incompatible land uses such as industrial land uses and sensitive receptors. Compliance with these policies as well as state regulations would ensure that CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
d) Locate development on a hazardous waste site	Less than significant. The Planning Area contains numerous hazardous sites including LUST sites, ASTs, and solid waste collection sites. Most of these sites are undergoing cleanup while others are being assessed for cleanup. It is possible that additional uncatalogued hazardous waste sites exist such as dry cleaners, gas stations, and railroad rights-of-way. The General Plan includes several policies and implementation measures that have been developed to address hazardous materials sites including creating an inventory of hazardous waste sites, regulating the use and generation of hazardous waste sites, and required compliance with federal, state, and local regulations regarding hazardous materials. Implementation of these measures would ensure that impacts are less than significant.	Projects implementing the CAAP would be required to comply with policies in the General Plan intended to protect the public from hazardous waste, ensure compatibility of land use, and prevent hazardous waste accidents as well as federal, state, and local regulations that govern the use of hazardous materials and siting of sensitive land uses near hazardous waste sites. Compliance with these policies and regulations would ensure CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
e) Hazards related to a public airport or private airstrip	Not included in the PEIR.	The implementation of the CAAP would not result in new or relocated residential land uses, other types of noise-sensitive receptors, or new places of permanent employment where residents or workers could be exposed to a safety hazard or excessive noise. Therefore, the CAAP would not expose residents or workers to a safety hazard or excessive noise levels. No impact would occur.
f) Interfere with an adopted emergency response plan	Less than Significant. Buildout of the Project would result in an increase in traffic that could interfere with response times at intersections with less than LOS C service. These impacted intersections are a part of the Intelligent Transportation System (ITS) and their signals controlled by the City Traffic Engineer who will have the ability to set signals for emergency vehicle routing. Additionally, the General Plan includes a number of policies that require the adequate provisions of emergency services and routes and policies regarding emergency coordination between agencies and emergency response providers and policies to improve traffic circulation and impacts to City roadways.	In order to achieve GHG reduction goals and reduce VMT, the CAAP includes strategies to increase bike lanes and improve access to local transit services. Additionally, the CAAP includes community preparedness strategies (see Table 5) to improve emergency communications as well as emergency response and evacuation procedures. By encouraging the use of transit, improving access to transit, and improving emergency evacuation communications and procedures, implementation of the CAAP would result in beneficial impacts to emergency plans.
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	Evaluated in Wildfires	Evaluated in Wildfires
Hydrology and Water Quality		
a) Water quality standards or waste discharge requirements b) Decrease groundwater supplies or interfere with groundwater recharge to impede sustainable	Less than Significant. The City has a comprehensive Water Management Program that outlines the City plans to provide adequate water supply to meet forecasted demands while protecting the health of the groundwater aquifer. The City is also working with groundwater managers on groundwater management programs. Continued implementation of existing groundwater management programs (including groundwater recharge through the Freeman Diversion project and the Las Posas Aquifer Storage Project) and the City's planned water recycling effort through it's GREAT and Augmented M&I Supplemental Water	The CAAP would not result in an increase in water demand and would not increase pressure on groundwater resources. The CAAP includes strategies to reduce water consumption through water conservation and increases in water recycling which may reduce local pressure on groundwater resources. Projects implementing the CAAP are not expected to result in direct pollutant releases. While construction of projects would be necessary and could result in minor releases of pollutants from construction, the impact is expected to be minor. Projects implementing the CAAP would be required to comply with state

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
groundwater management e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Programs will help to ensure that the City will be able to meet long term water demands and ensure sufficient groundwater recharge. The General Plan includes policies that address water supply and groundwater issues such as encouraging the City to continue water conservation and a policy that calls for adherence to the Ventura County Regional Water Quality Planning Program's recommendations regarding groundwater quality and extractions. Additionally, the City in 2009 implemented a policy that requires CEQA discretionary projects to be water neutral to the City's water system. Therefore, with the implementation of these policies, impacts would be less than significant. Buildout of the General Plan could impact the quality of runoff and pollutant loadings to receiving waters. The City must comply with provisions of the Clean Water Act including federal water quality, waste discharge, and total maximum daily load standards. Policies in the General Plan would reduce impacts such as policies to ensure sufficient stormwater drainage capacity, as well as continued compliance with state and federal standards. With implementation of these policies, impacts would be less than significant	and local requirements regarding water quality and waste discharge. Additionally, the CAAP includes strategies to reduce urban runoff and increase stormwater drainage capacity, as well as other strategies to reduce urban flooding (See Table 5). With respect to these criteria, no new impacts are identified in association with CAAP implementation. Impacts would remain less than significant.
c) Alter drainage pattern such that substantial erosion or siltation occurs; flooding on- or off site occurs; or additional sources of polluted runoff occur; Alter drainage such that it impedes or redirects flood flows	Less than significant. Development of the Project would involve construction and grading activities that could result in altered drainage patterns and, as a result, an increase in erosion and downstream sedimentation of Planning Area drainages and waterways. Sediment and other associated pollutants entering receiving waters would result in adverse changes to water quality. The General Plan includes policies that would reduce impacts such as policies to expand stormwater drainage infrastructure, require continued compliance with federal water protection standards, and a number of measures to reduce sedimentation and erosion. With implementation of these policies, impacts would be less than significant.	Implementation of the CAAP could result in construction for EV charging stations, bike paths, solar PV systems and other similar infrastructure. Construction is anticipated to be temporary and minor and would not be expected to significantly alter drainage patterns onsite or increase erosion. Nonetheless, projects implementing the CAAP would be required to comply with policies in the General Plan intended to reduce erosion, sedimentation and alteration to drainage patterns, and would not result in impacts that are more severe than those identified in the PEIR.
d) Located in flood hazard, tsunami, or seiche zones, increasing risk release of pollutants due to project inundation	Less than significant. Some areas within the Planning Area are designated 100-year flood plains including areas along the Santa Clara River and areas along the coastline. Development resulting from buildout of the Project could expose housing and other developments to flooding hazards. Additionally, structures placed within floodplains also have the potential to alter the historic cause of flood waters that could exacerbate flooding hazards downstream. The General Plan includes policies which require the City to avoid development in areas with known flood hazards. Other policies include requiring participation in the National Flood Insurance Program. The General Plan also includes policies to improve emergency planning and emergency response services with regard to flood risk as well as policies to ensure development is protected from flooding impacts and to ensure that natural drainages are not impacted by development. Therefore, with implementation of these policies, impacts would be less than significant. There are a number of dams located near the Planning Area that, could inundate	The CAAP does not propose new housing or structures that would expose inhabitants to flooding. Additionally, projects implementing the CAAP would be required to comply with policies set forth in the General Plan to reduce the impacts of flood hazards. The CAAP includes strategies for increasing the City's resilience to flood hazards (See Table 5). These strategies include developing a flood impacts monitoring program, prioritizing low-impact development stormwater practices in new development projects, implementing green infrastructure projects, and updating portions of the stormwater drainage system that are outdated or not functioning properly. Therefore, the CAAP includes strategies that would improve conditions with regard to flooding. CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
	the Planning Area if the dam were to fail. State and federal requirements regarding dam safety and dam inspection reduce the potential for flooding from dam failure, impacts are considered less than significant.	
Land Use and Planning		
a) Divide an established community	Less than significant. Development permitted by the General Plan includes a number of roadway improvements that extend roadways throughout the Planning Area. The expansion of roadways has the potential to divide a community. However, growth generated by the General Plan is intended to occur in a manner that preserves community character and connections within communities. Overall, new development is intended to represent a continuation of the existing urban area of the City. Additionally, the General Plan includes policies that would reduce the potential for development to divide communities including policies that address connectivity issues and establish the groundwork for cooperative transportation planning. Therefore, with the implementation of these policies, impacts would be less than significant.	The CAAP includes strategies to encourage the improvement of bike lanes and transit infrastructure as well as the creation of parks and greenspace all of which have the potential to have beneficial impacts with regard to this criterion. While the CAAP may result in the construction of some infrastructure projects and improvements, these projects would be required to be consistent with policies in the General Plan which encourage development patterns that create compatible land uses and avoid disruptions to communities. CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
b) Consistency with applicable land use plan, policy or regulation	Less than significant with Mitigation. There are no Habitat Conservation Plans or Natural Community Conservation Plans in the Planning Area. The General Plan was determined to be consistent with the Local Coastal Plan. In order to maintain consistency with the Ventura County Airport Land Use Compatibility Plan the General Plan included a required policy to remove the designation of an area within the Airport's Traffic Pattern Zone as a school designation. With the adoption of this policy, impacts are less than significant.	As described in the Project Description above, the CAAP is consistent with the Oxnard General Plan and implements a policy from the General Plan. Additionally, the CAAP is consistent with the Local Coastal Plan Update. The CAAP would not conflict with any local plan or policy, and its implementation would not result in impacts that are more severe than those identified in the PEIR.
Mineral Resources		
a) Known mineral resource or b) locally important mineral resource recovery site	Less than significant. Large portions of the Planning Area are designated as containing significant mineral resources; however, development has already occurred within these areas and the General Plan does not propose to place new development in areas designated as potentially containing mineral deposits. The General Plan includes policies designed to minimize the location of incompatible land uses and to regulated resource extraction activities. Therefore, impacts would be less than significant with the implementation of these policies	Most CAAP actions would not involve ground work or soil disturbance and; therefore, would not have the potential to disturb mineral resources. Projects implementing the CAAP that could disturb mineral resources due to groundwork or excavation would be located in areas of the City that are already urbanized and developed. As such, the implementation of projects that could involve groundwork would not result in the loss of mineral resource sites. No new impacts are identified in association with CAAP implementation.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
Noise and Vibration		
a) Exposure to noise levels in excess of standards	Significant and unavoidable. Build out of the General Plan would result in construction related noise that has the potential to result in an exceedance of “normally acceptable” noise ranges for a given land use. Build out of the proposed Project would also result in additional noise from traffic. Noise modeling shows that several roadway segments in the Planning Area would experience a significant increase in traffic noise. While policies included in the General Plan may reduce this impact, impacts would still be significant and unavoidable.	Implementation of the CAAP could result in projects that require construction; however, these projects would be relatively small and would not create a significant amount of construction noise. Additionally, the CAAP is expected to reduce total vehicle miles traveled (VMT) in the City, and reduce traffic noise as well, as fossil fueled vehicles are replaced with quieter electric vehicles over time. The projects that would be constructed as a result of implementation of the CAAP are not expected to result in significant amounts of operational noise. CAAP implementation would not result in impacts that are more severe than those identified in the PEIR.
b) Groundborne vibration	Significant and Unavoidable. Buildout of the General Plan could place new residential or employment densities near sources of vibration such as industrial land uses, airports, railroads etc which could result in a significant impact. While the General Plan includes policies to address groundbourne vibration, even with adoption of implementation measures, impacts would be significant and unavoidable.	The CAAP does not change the land use designations in the General Plan. Therefore, implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR.
Population and Housing		
a) Induce unplanned population growth b) Displace existing people or housing	Not evaluated in the PEIR.	The CAAP would not propose the construction of new housing nor would implementation of the CAAP displace existing housing or people. The CAAP would be consistent with the City's adopted 2021–2029 Oxnard Housing Element and would help in its implementation. Impacts would be less than significant.
Public Services		
a) Need for new public services or associated impacts related to fire protection, police protection, schools, parks, other public facilities	Less than Significant. Buildout of the General Plan will result in population growth and will increase demand for fire protection, police protection, schools, parks, and libraries. However, the cost for the expansion of each of these services would be covered by the increase in revenue from development and from developer fees resulting from buildout of the General Plan. The General Plan includes standards for the provision of public services and future projects for the expansion of public services will be reviewed on an individual basis. Impacts are considered less than significant.	The CAAP would not induce population growth and, as a result, would not increase demands for new or altered governmental facilities or additional public services. The CAAP includes strategies intended to improve the resilience of emergency response and preparedness infrastructure in the City, and to protect existing open space and green spaces (see Table 5), both of which would result in beneficial impacts with regard to this criterion. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR.
Recreation		
a) Deterioration of parks or other recreational facilities which would increase the	Less than Significant. Implementation of the General Plan would increase demands on parks services in the City. New parks will be required for future growth which will be reviewed on an individual basis by the City. The General	The CAAP would not increase population growth and, as a result, would not increase demands on public parks. The CAAP includes strategies to protect existing open space and green spaces which would have beneficial impacts with

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
need for or use of parks and recreational facilities	Plan includes policies that address standards for community park and recreation standards, identify additional parklands, and require the City to ensure that recreation facilities are sited to minimize negative impacts. With the implementation of these policies impacts would be less than significant.	regard to this criterion. Implementation of the CAAP would not result in impacts that are more severe than those identified in the PEIR.
Transportation		
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities	Less than Significant. The General Plan includes policies to promote increased transit services throughout the City which is intended to accommodate future transit demand and generate new transit riders through enhanced and improved service. The Circulation Diagram, prepared as part of the General Plan also includes a substantial increase in bicycle facilities throughout the City. Therefore, the General Plan would result in less than significant effects.	The CAAP includes strategies to improve transit effectiveness and accessibility (Strategy T4) and to expand infrastructure for pedestrians and bikes (Strategy T3). Therefore, implementation of the CAAP would result in beneficial impacts with respect to this criterion and would have no adverse impacts.
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 (vehicle miles traveled)	Not evaluated in the PEIR	The CAAP includes strategies to reduce VMT as a method for reducing GHG emissions. This includes strategies to expand infrastructure for pedestrians, bikes, and micro-mobility solutions (T3), increase transit effectiveness (T4), and expand car and bike sharing (T5). Therefore, the CAAP would have a beneficial impact with regard to this criterion and would have no adverse impact.
c) Hazards due to a design feature or incompatible uses	Not evaluated in the PEIR	Projects implementing the CAAP would not alter existing land uses in the City and would not result in an incompatible use. No new impacts are identified in association with CAAP implementation.
d) Inadequate emergency access	Not evaluated in the PEIR	As discussed in the Hazards and Hazardous Materials section, the CAAP includes strategies to improve emergency warning systems, response planning, and evacuation routes to ensure that systems are resilient to climate change impacts (see Table 5) which have the potential to improve emergency access. Additionally, projects implementing the CAAP would be required to comply with policies included in the General Plan that require that projects avoid impacts to emergency access. Therefore, the CAAP would have a beneficial impact with regard to this criterion and would have no adverse impact.
Tribal Cultural Resources		
a) Tribal cultural resource as recognized by State of California or lead agency	Not evaluated in the PEIR	AB 52 (2015) requires CEQA lead agencies to analyze the impacts of projects on tribal and cultural separately from impacts on archaeological resources (PRC Sections 21074 and 21083.09) because archaeological resources may also have cultural values beyond their ability to yield data important to prehistory or history and may qualify as tribal and cultural resources. The provisions of AB 52 apply to projects for which an NOP notice of preparation or a notice of negative declaration/mitigated negative declaration was filed on or after July 1, 2015. Because the NOP for the PEIR was issued prior to 2015, AB 52 does not apply to the PEIR, and assessment of impacts to tribal and cultural impacts is not

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
		required.
Utilities and Services Systems		
a) Require construction or relocation of new infrastructure for water, wastewater, storm water, energy or telecommunications	Regarding these infrastructure items, only water and stormwater were evaluated in the PEIR: Less than significant. Development of the Project could increase peak drainage flow rates, erosion, and downstream sedimentation in and around new development. Such increases would reduce the capacity of drainages and could result in flood flows that exceed existing downstream channel and stormwater system capacities. Additionally, the General Plan includes policies to reduce such impacts such as policies to increase stormwater drainage infrastructure and a requirement that the City maintain a stormwater drainage infrastructure master plan. With implementation of the above policies, impacts to stormwater infrastructure would be less than significant. Less than significant. Development of the Project could increase demand for water. As noted under Hydrology and Water Quality, the City has a comprehensive Water Management Program and the General Plan includes policies that address water supply and groundwater issues such as encouraging the City to continue water conservation and a policy that calls for adherence to the Ventura County Regional Water Quality Planning Program's recommendations regarding groundwater quality and extractions. Additionally, the City in 2009 implemented a policy that requires CEQA discretionary projects to be water neutral to the City's water system. With implementation of the above policies the impacts would be less than significant.	Regarding stormwater infrastructure, the CAAP is not expected to result in construction that could result in significant changes to stormwater drainage. Projects implementing the CAAP would be required to comply with federal, state, and local requirements regarding stormwater runoff. Additionally, the CAAP includes strategies to improve stormwater drainage infrastructure by updating aging infrastructure, using low impact development techniques, and encouraging green infrastructure (See Table 5). Therefore, the CAAP would have a beneficial impact with regard to this criterion and would have no adverse impact. The CAAP would not result in an increase in water demand and would not increase the need for water or wastewater infrastructure. The CAAP includes strategies to reduce water consumption through water conservation and increases in water recycling which may reduce local pressure on groundwater resources. Therefore, the CAAP would have a beneficial impact with regard to this criterion and would have no adverse impact. Implementation of the CAAP could result in the construction of new energy infrastructure such as EV charging stations, rooftop solar PV systems, and energy storage facilities, but these projects would be relatively small and they would be required to comply with the City's building code and with the policies outlined in the General Plan that reduce environmental impacts and ensure that Infrastructure improvements are consistent with City infrastructure master plans. As such, these projects would not result in impacts that are more severe than those identified in the PEIR.
b) Served by sufficient water supplies	Less than significant. The General Plan PEIR conducted an analysis of projected water demand and water supply and concluded that with implementation of the General Plan, the City will have adequate water supply to meet projected demands under all scenarios through 2030. The General Plan also includes policies intended to address water supply issues including policies to encourage water conservation, require water supply assessments for all projects, and a policy to update water, wastewater, and drainage infrastructure master plans. Therefore, with implementation of the policies mentioned above, impacts would be less than significant.	The CAAP includes strategies to increase the conservation and reuse of water within the City through building upgrades and retrofits, low-water landscaping requirements, and infrastructure improvements to increase the use of recycled water. The CAAP has a goal to reduce community and municipal per capita water use by 10 percent by the year 2030. Therefore, the implementation of the CAAP would result in beneficial impacts to this criterion by reducing City water demand. Impacts would remain less than significant.

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
c) Wastewater treatment requirements	Less than significant. The Oxnard Wastewater Treatment Plant (OWTP) has a current capacity of 31.7 million gallons per day (mgd) with average daily flows of approximately 24.0 mgd. The City anticipates expansion of the plant to 39.7 mgd by 2020. Thus, it is anticipated that sufficient capacity exists to accommodate wastewater generated by the Project. However, it is anticipated that a variety of wastewater conveyance (including sewer lines and lift stations) would need to be increased in order to accommodate wastewater flows associated with the Project. The General Plan includes policies regarding maintaining wastewater treatment service levels as well as policies to encourage water recycling in industrial developments in order to reduce sewer flows. Additionally, the General Plan includes a policy which requires the City to update its water, wastewater, and drainage infrastructure master plans in order to meet the needs of the City. Therefore, with the implementation of the policies identified above, impacts would be less than significant.	The CAAP would not result in developments that would significantly increase the wastewater treatment demands in the City. No new impacts are identified in association with CAAP implementation.
d) Solid waste and landfill capacity	Less than significant. Project development could increase the amount of solid waste generated in the Planning Area beyond existing or planned capacity or the ability of the City to expand capacity. The General Plan includes policies to address increased waste generation such as a waste reduction policy which calls for the City to continue implementing and participating in source reduction and recycling programs to meet mandated waste reduction levels and a policy which requires developers to employ a variety of practices which reduce waste generation. Therefore, with the implementation of the above policies impact would be less than significant,	The CAAP includes waste reduction and recycling strategies with the goal of achieving a 75% diversion of community solid waste and a 75% diversion of organics from landfills by 2030. Therefore, implementation of the CAAP would result in long-term beneficial impacts with respect to this criterion. Impacts would remain less than significant.
e) Comply with statutes and regulations related to solid waste	Not evaluated in the EIR.	The Project would comply with applicable federal, state, and local statutes and regulations related to solid waste and recycling. As such, the Project would be consistent with the assumptions set forth in the certified PEIR. No new impacts associated with CAAP implementation are anticipated.
Wildfire		
a) Located in a very high fire hazard severity zone	Not evaluated in the Certified PEIR. The Certified PEIR identifies that Oxnard is the largest urban community in the County and has limited exposure to the threat of wildfire hazards.	The Planning Area is urbanized and is in a low-risk area for wildfire hazards. The CAAP would not result in development that would place residents at risk of the spread of wildfire and would not result in development that could increase the risk of the spread of wildfire locally. The CAAP includes strategy L1, which supports transit-oriented and mixed-use development consistent with the 2021–2029 Oxnard Housing Element, and therefore projects facilitated by the CAAP that would include housing would likely be built in urban infill areas and are not likely to exacerbate wildfire risks. The CAAP includes strategies to improve early warning systems and emergency preparedness and evacuation systems in the event of a local wildfire or poor air quality from wildfires (see Table 5). Additionally, the CAAP includes strategies to improve access to air filtration and masks in the event of poor air quality from local or regional wildfires. Therefore,

TABLE 6 (CONTINUED)
COMPARISON OF THE CAAP RELATIVE TO THE PEIR

Environmental Issues	PEIR Impacts	CAAP Impacts
		implementation of the CAAP would result in beneficial impacts with respect to this topic. The CAAP would have no adverse impact.

VI. Changed Circumstances

Section 15162 of the CEQA Guidelines states that a Subsequent EIR would be required if substantial changes regarding the circumstances under which the project is undertaken would require major revisions of the certified PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Section 15162 also states that a Subsequent EIR should be prepared if new information of substantial importance which was not known or could not have been known at the time the certified PEIR was adopted indicates that either 1) the Project would have new or substantially more severe significant impacts; or 2) mitigation measures or alternatives previously considered infeasible or that are considerably different would substantially reduce the significant impacts of the project, and the project proponents decline to adopt the new measures.

No substantial changes to the environmental setting of the Planning Area of the General Plan have been identified since the preparation of the certified PEIR. The analysis contained in this Addendum is to evaluate the potential impacts that could occur from the implementation of the Project relative to those impacts that were identified in the prior CEQA documentation for the General Plan.

As described in Section I under the subsection entitled Introduction and Background, a program-level EIR was certified for the buildout within the General Plan Planning Area. Mitigation measures were adopted as new General Plan policies in order to reduce potentially significant impacts in the following areas: cultural resources, land use, and greenhouse gases. The certified PEIR for the Project concluded that with the implementation of additional or modified General Plan policies, impacts would be reduced for all issues to a less than significant level with the exception of air quality, greenhouse gases, transportation, and noise, which while reduced would remain significant and unavoidable. The analysis contained in this Addendum concludes that with the incorporation of applicable new or modified General Plan policies, no potential significant impacts would result from the CAAP; thus, there are no new mitigation measures recommended.

Table 6, *Comparison of the Certified PEIR Relative to the Project*, provides a brief summary of the analysis and the conclusions in the Certified PEIR compared with the potential environmental impacts of the Project. The General Plan PEIR was certified in 2011; however, the analysis in Table 6 is structured using Appendix G from the 2022 CEQA Guidelines, to ensure that all necessary issues are addressed consistent with the current guidelines. In some cases, the revisions to the Guidelines were enough to clarify the potential impact question. In addition, some sections were added to the Guidelines, such as energy (which was evaluated in the certified PEIR) and wildfires. These new Appendix G topics are included in Table 6. With regard to transportation, as of July 1, 2020, LOS-based metrics to evaluate automobile congestion are no longer considered valid methodologies for analyzing traffic impacts under CEQA. Rather, CEQA requires transportation analysis to focus on vehicle miles traveled (VMT). Accordingly, Table 6 examines VMT as a potential impact.

Overall, the changes in circumstances that have occurred since preparation of the certified PEIR would not result in new significant impacts or substantial increases in the severity of previously identified significant impacts. No other additional information of substantial importance was found that would require major revisions to earlier analyses or a Subsequent EIR pursuant to Section 15162 of the CEQA Guidelines.

A. Conclusion Regarding Addendum as an Appropriate Mechanism

Section 15162 of the CEQA Guidelines provides direction on when a Subsequent EIR is necessary. Section 15162(a)(1) and (2) state that a Subsequent EIR would be required if: 1) substantial changes are proposed in the project or 2) substantial changes occur with respect to the circumstances under which the project is undertaken, either of which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, Section 15162(a)(3) states that a Subsequent EIR should be prepared if mitigation measures or alternatives previously considered infeasible, or that are considerably different, would substantially reduce the significant impacts of the project, and if the project proponents declined to adopt the new measures.

As described in detail herein, this analysis confirms that no major revisions to the prior CEQA documents completed for the General Plan Planning Area are required as the CAAP would not result in any new significant environmental impacts or substantially more severe significant impacts when compared to the impacts previously disclosed in the certified PEIR.

This Addendum also evaluates whether changes in circumstances surrounding the Project or new information of substantial importance would cause new significant environmental effects or a substantial increase in the severity of such effects beyond what was identified in the earlier CEQA documents. The evaluation of changes in circumstances and new information is focused on whether changes of substantial importance have occurred to environmental conditions on the site and in the area, or to applicable plans, policies or regulations, which result in new significant environmental impacts. No substantial changes to the environmental setting of the Planning Area have been identified since the preparation of the certified PEIR. The built-out nature of the Planning Area remains generally as described in the General Plan PEIR. No other additional information of substantial importance, which would require major revisions to earlier analyses that would warrant preparation of a Subsequent EIR pursuant to Section 15162 of the CEQA Guidelines, has been found.

As shown in this Addendum, the CAAP would not result in new significant impacts or substantially more severe significant project or cumulative impacts for any of the environmental topics addressed by the Certified EIR. Accordingly, a Subsequent EIR would not be required to address these changes to the General Plan pursuant to Section 15162 of the CEQA Guidelines and

pursuant to Sections 15162 and 15164 of the CEQA Guidelines. Therefore, this Addendum is the appropriate document under CEQA for addressing the impacts of the CAAP.

The support for this finding is provided in **Table 6, Comparison of the CAAP Relative to the Certified PEIR**. Table 6 covers the issues in Appendix G of the CEQA Guidelines to ensure that a thorough analysis consistent with the Certified PEIR is provided. The Certified PEIR Impacts column in Table 6 summarizes the analysis contained in the Certified PEIR that was prepared for the 2030 General Plan buildout. The CAAP Impacts column contains the analysis of the potential impacts that could occur from the implementation of the CAAP.

VI. References Cited

- California Governor's Office of Emergency Services (OES), 2020. *California Adaptation Planning Guide*. Published June 2020. <https://www.caloes.ca.gov/cal-oes-divisions/hazard-mitigation/hazard-mitigation-planning/california-climate-adaptation>, accessed June 2022.
- CARB, 2017. *California's 2017 Climate Change Scoping Plan*. Published November 2017. <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>, accessed June 2022.
- CARB, 2022. *California's Draft 2022 Climate Change Scoping Plan Update*. Published May 10, 2022. <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>, accessed June 2022.
- City of Oxnard, 2009. *City of Oxnard 2030 General Plan Program Environmental Report*, Recirculated Draft, November 2009. <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>, accessed June 2022.
- City of Oxnard, 2017. *Energy Action Plan*. Published April 2013. <https://www.oxnard.org/wp-content/uploads/2016/04/OxnardEAP4.2013.pdf>, accessed June 2022.
- City of Oxnard, 2017. *City of Oxnard CEQA Guidelines*. Published November 2017. <https://www.oxnard.org/city-department/community-development/planning/ceqa/>, accessed June 2022.
- Shields, Mark. 2010. PV Systems: Low Levels of Glare and Reflectance vs. Surrounding Environment. https://conservationtools.org/library_items/1684-PV-Systems-Low-Levels-of-Glare-and-Reflectance-vs-Surrounding-Environment, accessed June 2022.

This page intentionally left blank



CITY COUNCIL AGENDA REPORT
REPORTS
AGENDA ITEM NO. N.2

DATE: March 30, 2021
TO: City Council
FROM: Vyto Adomaitis, Community Development Director, (805) 385-7868, vyto.adomaitis@oxnard.org
SUBJECT: Update on the Preparation of the Climate Action and Adaptation Plan. (0/5/10)

RECOMMENDATION

That the City Council receive an update on work to prepare and engage the community in the preparation of the City's Climate Action and Adaptation Plan (CAAP).

(This item did not originate in Committee.)

Please click the following link to view the required Measure M pre-recorded presentation

video: <https://youtu.be/1ALqWXWcJro>

BACKGROUND

EXECUTIVE SUMMARY

The purpose of this report is to provide the City Council with an update on the City's CAAP work efforts. This includes a detailed summary of what creates climate impacts in the City, an analysis of the City's compliance with emission targets, and identification of what the City can do to reduce these climate change activities. The report is intended to set the stage for community engagement following the City's extensive work securing, and analyzing the City's emission inventories. The report provides Council with information on the next steps, including the steps to secure robust and inclusive community engagement. A more detailed identification and analysis of municipal and community climate change contributors is contained in the report attachments, with summaries provided within the body of the staff report. Finally, while no decisions will be made during this meeting, the report provides concepts such as reduction targets and a proposed CAAP mission and vision statements which will be presented to the community and the Council Committee in the near future. Recommendations from these two bodies will be provided to the City Council, with the goal of establishing 2030 CAAP emission targets, strategies to achieve these targets, and the creation of the desired CAAP mission and vision statements.

BACKGROUND

In March 2020, the City entered into a contract with Environmental Science Associates (ESA), Inc. for the preparation of the City's CAAP. The CAAP is necessary to help Oxnard meet California's goals for reducing emissions of greenhouse gases (GHG) emissions as legally mandated, and adapt to the anticipated effects of climate change. The CAAP is a plan for reducing the GHGs that contribute to global climate change, and for adapting to the anticipated effects of climate change.

The CAAP will have two primary objectives:

1. To reduce GHG emissions through the implementation of reduction measures to meet or exceed reduction targets

- mandated by the State of California; and
2. To enhance the community's resilience to a changing climate by addressing the vulnerabilities and risks that are expected to occur as a result of those impacts.

Resilience, as defined by the State of California's Adaptation Planning Guide, is the "capacity of any entity—an individual, a community, an organization, or a natural system—to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience." Climate adaptation is defined by this same source as "actions that address the projected impacts on all aspects of community function that may result from climate change. This can include impacts related to hazard events (flood, wildfire, drought, and severe storms for example), as well as slow changes that affect agricultural, forestry, and fisheries productivity; ecosystem structure and function; and public health."

Recognizing that GHG reduction is only part of the solution to addressing climate change, the other component is the "adaptation" needed to ensure preparedness and build resilience to expected vulnerabilities and risks that threaten the quality of life in Oxnard. Like other communities in California, Oxnard is likely to face serious economic, social, and environmental challenges in the coming decades due to rising temperatures, sea level rise, extreme storms, wind events, more severe droughts, and diminishing air quality that is expected to occur because of climate change. These impacts present significant threats to community health and wellbeing, which will not affect everyone equally. Vulnerable groups, such as the elderly, low-income families, farmworkers/agricultural workers, undocumented immigrants, communities of color, and individuals already suffering from chronic diseases, will be disproportionately impacted by these changes.

The CAAP consulting team is currently developing a climate change vulnerability assessment that considers the broad range of expected impacts and how they will affect the physical and social make-up of the City. The assessment will then be used to develop strategies that protect vulnerable populations and increase the resilience of the City's critical infrastructure for transportation, energy, water supply, and stormwater management. This component along with environmental justice will also be addressed in the CAAP.

Examples of climate change impacts facing Oxnard include, but are not limited to, rising sea levels, increased number of extreme heat days, smoke from the increased frequency of regional wildfires, wind events and degradation due to these occurrences, and increased risk of local flooding from severe storms and extreme high tides. Adaptation measures will be included in the CAAP to proactively prepare for these impacts, with a particular emphasis on the disadvantaged communities within the City that are most vulnerable.

The CAAP will also draw upon and support the community's goals and policies identified in the City's 2030 General Plan. It will feature health equity and climate justice consistent with the City's Sustainable Community (SC) Element of the General Plan (Chapter 2), SC-1.3 and all other relevant General Plan climate policies.

Legislative Mandates

The City's CAAP will reflect the statewide GHG reduction goal outlined in Senate Bill 32 (SB 32), also known as the Global Warming Solutions Act of 2016, which is an update of the original Global Warming Solutions Act of 2006, known as Assembly Bill 32 (AB 32). SB 32 calls for a statewide reduction of GHG emissions to 40 percent below 1990 levels by 2030. The legislation requires that the California Air Resources Board (CARB) prepare a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of SB 32. The latest Scoping Plan for SB 32, developed and implemented by the California Air Resources Board (CARB) in 2017, identifies specific measures to achieve these reductions and recommends that local governments establish GHG reduction targets for both their municipal operations and the community that are consistent with those of the State.

The State of California has also set a longer-term goal of reducing statewide emissions to 80 percent below 1990 levels by 2050, as expressed by AB 32 and the Governor's Executive Order S-03-05.

DISCUSSION

City of Oxnard GHG Inventories, Baseline and Projections

The starting point for addressing climate change mitigation, which is a key component of the CAAP, is an understanding of the sources of the current GHG inventories in the City. These sources include the GHG emissions that the City has direct control over (Municipal GHG Inventory) and those that result from community activities (Community GHG Inventory), which are directly and indirectly impacted by local government programs, implementation of State mandates, planning, and development decisions.

Since April of 2020, the City has been working with ESA and the CAAP team to conduct an analysis of the Municipal and Community GHG Inventories.

These Municipal and Community GHG inventories have been developed using well-recognized protocols published by International Council for Local Environmental Initiatives (ICLEI) and adhere to national standards. The Community inventory utilizes the methodology prescribed by the “U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions”, whereas the Municipal inventory, which comprises a subset of community emissions, utilizes ICLEI’s “Local Government Operations Protocol”. Consistent with national and international agreements, California uses 1990 as the baseline year for tracking and reducing GHG emissions. However, most local jurisdictions select an appropriate baseline year determined by the availability of data. Accordingly, the City has chosen 2010 as its baseline year, consistent with available records and the City Council approved Energy Action Plan (April 2013), which also used 2010 as the City’s baseline.

Following an extensive inventory procurement and analysis process, which included creating a GHG-emission inventory of sources specific to Oxnard, various key sectors (categories of emissions that are defined by the end use that causes them) were identified as the major contributors of GHG in the City. Those sectors, along with the percentage of total GHG contributions in 2018 (most recent inventory) are noted below. These sectors are the areas which directly result in GHG in the City of Oxnard and their percentage contribution to overall City GHG are as follows:

- On-Road Transportation (31%) - Emissions from cars and trucks that travel local roads and highways;
- Electricity (31%) - Emissions from the generation of electricity that is used by the community;
- Natural Gas (25%) - Emissions from the combustion of natural gas used by buildings and industry;
- Solid Waste (7%) - Emissions from the decomposition of waste sent to landfills;
- Off-Road Sources (5%) - Emissions from operation of construction and other off-road equipment;
- Water and Wastewater (1%) - Includes emissions from the electricity used to pump water and wastewater, as well as direct emissions resulting from wastewater treatment processes and local septic tanks; and
- Other (<1%) - emissions from passenger rail (Amtrak and MetroLink)

Based on these community-specific sources, GHG-reduction measures will be developed in the CAAP to achieve compliance with statutory emission-reduction targets and timelines. A more detailed summary of the above GHG emissions can be found in Attachment A (see Table 1 and Figure 4).

Recognizing that addressing GHG-reduction is only half of the solution to addressing climate change, the other component is the “adaptation” needed to ensure preparedness and build resilience to expected vulnerabilities and risks that threaten the City. The CAAP will address the future challenges the City will have in addressing climate change and will recommend adaptation measures to ensure the City is ready and able in the future to handle flooding, extreme heat days, degraded air quality, and severe storms.

GHG Target Considerations

A fundamental component of CAAP development is setting future GHG emissions targets. Cities are expected to do their part in helping the State achieve its emissions reduction goals, and many local governments including the County of Ventura and nearby Thousand Oaks are following CARB’s recommendation to establish a GHG reduction target that is

consistent with the State’s target (set by SB 32) to achieve 40 percent below 1990 levels by 2030 and to establish a pathway for reducing emissions in line with the State’s longer term goal of 80 percent below 1990 levels by 2050.

For Oxnard, like most communities, accurately quantifying 1990 emissions is not possible due to the lack of historical data. Thus, deriving a state-aligned target for 2030 (40 percent below 1990 levels) requires making an adjustment for emissions growth that has occurred between 1990 and the City’s baseline inventory, which as stated has been determined to be 2010.

Following CARB guidance from its Scoping Plan, local governments with baseline inventories occurring during the years 2005 to 2010 typically set their 2030 targets at approximately 50 percent below baseline. For the City of Oxnard, this equates to limiting community-wide emissions in 2030 to approximately 388,000 metric tons of carbon dioxide equivalents (MTCO_{2e}).

To determine the reductions needed to reach this target, a forecast of the City’s emissions to 2030 has been made to represent “business as usual” (BAU) conditions that would occur in the absence of policies and programs to reduce emissions. Basically, a BAU forecast is a projection of emissions which would occur if the City did nothing to change activities or programs from 2010 to the year 2030.

Figure 1 in Attachment A shows this BAU emissions forecast out to the years 2030 and 2050. Figure 2 illustrates the “Adjusted BAU Forecast” that accounts for the effect that state energy and transportation policies (e.g., renewable energy and vehicle fuel efficiency standards) will have on future emissions. Reductions from these state measures are expected to occur due to legislative mandates regardless of whether Oxnard takes local action to reduce emissions.

Figure 3 in Attachment A illustrates a potential community emissions target for 2030 that is aligned with the State target, which equates to a reduction of 50 percent below the 2010 baseline. The Adjusted BAU Forecast in the figure indicates the City would be about halfway to meeting a state-aligned 2030 target without contributions from local reduction measures.

Next Step: Developing Local GHG Reduction Measures

The next step in developing the CAAP is to analyze the potential of local measures to reduce GHG emissions and assess the overall potential of the City to reduce emissions in line with the State’s 2030 target and to make substantial progress towards meeting the State’s longer-term 2050 goal. Over the next several weeks, the CAAP consulting team will be evaluating the possible GHG reduction strategies. The process going forward will involve a community survey, community engagement and conversations with key stakeholders seeking input on a range of methods to reduce GHGs.

As indicated by the City’s 2030 emissions forecast (see Table 3 and Figure 5 in Attachment A) the sectors with the greatest potential for local emissions reduction are on-road transportation, electricity, natural gas, and solid waste. Combined, these sectors represent nearly 94 percent of the City’s expected emissions in 2030.

Measures to reduce GHGs will be communicated through the engagement process, with engagement helping to prioritize reduction options. For the City, achieving GHG emissions reductions in alignment with the State’s 2030 target of 40 percent below 1990 levels will require examination of the following sector-specific strategies (for more detailed explanations of these strategies see Attachment B). Additional strategies will be explored through the engagement and Council/committee discussion process:

- **Green the electricity supply:** This strategy reduces emissions from electricity used by buildings, lighting, and water delivery by increasing the percentage of power being supplied by renewable (i.e., zero-emissions) electricity. More than two-thirds of the reductions needed to reach the 2030 target could be accomplished by procuring 100% carbon-free electricity for all of the City’s customers.
- **Electrify buildings:** This strategy reduces emissions from the consumption of natural gas, by shifting the energy use to electricity, which has a lower carbon footprint, particularly when paired with the use of low- or zero-

carbon electricity.

- **Electrify transportation:** This strategy reduces emissions from on-road vehicles, the second-biggest contributor to the City's 2030 emissions forecast, by supporting the transition to plug-in electric (PEV) and hydrogen-powered vehicles. Potential actions include installation of PEV charging and hydrogen fueling stations, preferential parking for PEVs, and continued purchases of PEVs by the City government.
- **Improve energy efficiency of existing buildings:** With new buildings generally expected to be highly energy efficient due to increasingly stringent building codes (e.g., Title 24), this strategy focuses on existing buildings and reduces emissions from electricity and natural gas used by reducing the energy needed for heating, lighting, and operating electric-powered equipment and machinery.
- **Reduce vehicle miles traveled (VMT):** This strategy reduces emissions from on-road vehicles through land-use planning that emphasizes access to transit and reduces the need for vehicular travel through density increases, support for a mix of uses, and safe and convenient pedestrian and bicycle infrastructure. Other potential strategies to help reduce VMT include more restrictive parking policies, support for employer transportation demand management (TDM) programs, and support for programs that increase car sharing, bike sharing, and ride sharing.
- **Strive for zero waste:** This strategy reduces emissions from landfill decomposition of organic waste by reducing the amount of waste sent to the landfill.
- **Conserve water:** This strategy reduces emissions associated with the energy needed to treat and deliver water to the City's end consumers by reducing the amount of water consumed in the City.

Next Steps and Schedule, and Community Engagement

In October 2020, the City initiated a Climate Action Plan Logo Contest. The contest was promoted through a variety of social media platforms. A total of eight (8) submissions were received. The City's CAAP logo design committee selected the winning logo which was prepared by a local artist, Manny Bernal (see Attachment C - Final Approval Logo). Manny Bernal is an Oxnard resident and Manny's logo design will be featured when distributing information regarding the CAAP, and ultimately will be utilized on the cover of the Final CAAP. Manny's artistic resume is attached (see Attachment C).

The CAAP development team is currently preparing public engagement activities that are designed to accomplish the following objectives:

- Share information about Oxnard's GHG emissions and forecasts and the reductions that are needed to align with State targets.
- Gather community input on potential GHG reduction strategies.
- Share information about potential climate change impacts on Oxnard and planning approaches for reducing and avoiding impacts.
- Gather community input on climate change vulnerabilities, as well as priorities for taking action and developing strategies to avoid or reduce the risk of impacts.
- Partner with community leaders and community organizations to learn more about community needs and perspectives and to disseminate information about community involvement opportunities.
- Effectively involve residents, business owners, and other Oxnard stakeholders across Oxnard's multicultural and multilingual communities.

The community will also be asked to weigh in on a mission and vision statement (see Attachment D).

As indicated by the City's 2030 emissions forecast (see Table 3 and Figure 5 in Attachment A) the sectors with the greatest potential for local emissions reduction are on-road transportation, electricity, natural gas, and solid waste. Combined, these sectors represent nearly 94 percent of the City's expected emissions in 2030. The opportunity for GHG reductions are directly linked to land use, and policy decisions. Therefore, the analysis and conclusions outlined in the CAAP will directly impact the City's update to the 2030 General Plan. The CAAP will be completed prior to the

upcoming 2045 General Plan (the update to the City's 2030 General Plan), a three-year effort that will begin in mid-2022. Further, due to changing State regulations and policies it is recommended that once adopted the CAAP be updated every five years to ensure compliance with GHG reduction targets and to ensure the document reflects the City's on-going CAAP mission and vision. Ultimately, staff envisions a "refresh" of the 2021 adopted CAAP will occur through the comprehensive 2045 General Plan update (goal for adoption by 2025).

Over the next four months community engagement will kick off through a community wide survey, meetings and workshops with targeted groups with interest and connection to the environment, social and community activism, education and health care, utility agencies, and business and agriculture ("focus groups"). The CAAP survey will be promoted through social media, the CAAP website, through free media spots, and through targeted outreach. The survey will be available in both English and Spanish (see Attachment E). Additionally, two community meetings will be conducted with the general public with the goal of engaging all segments of the community. Input from disadvantaged communities will be a focus of these outreach activities, to ensure that measures taken to reduce emissions are equitable in terms of their costs and benefits to these communities. Distribution of a community-wide survey, and multiple public workshops, and focus group meetings will occur throughout the Spring and early Summer. Spanish interpretation will be provided and community meetings will be recorded and will be posted to the Climate Action Plan website - see: <https://www.oxnard.org/climate-action-plan/>

Key schedule milestones for the coming year are summarized below:

- Mid-April = CAAP community survey closes.
- Early Spring = Engagement through focus groups and community meetings/public workshops.
- Spring/Summer = Updates to Planning Commission, Council Committee, and City Council on CAAP survey results and community input.
- Fall/Winter adoption of the Final CAAP.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

FINANCIAL IMPACT

General Plan Maintenance Fee (GPMF) funds in the amount of \$350,000 were appropriated in January 2019 to the Climate Action Plan project (Project #19IN03). The cost of the agreement with ESA is \$411,490 over a two-year period, which includes the base agreement cost of \$349,490 and \$62,000 in optional tasks which may be funded by future grants. There is sufficient budget to cover the base agreement cost.

COMMITTEE OUTCOME

This item did not originate in Committee. This is a report to City Council with no policy decisions or recommendations being requested at this time.

Prepared by: Kathleen Mallory, Planning & Sustainability Manager

ATTACHMENTS

1. Attachment A - Community and Municipal GHG Inventories and Analysis
2. Attachment B - Local GHG Reduction Strategies
3. Attachment C - CAP Logo Design
4. Attachment D - Draft CAAP Mission and Vision Statements
5. Attachment E - Final CAAP Survey Questions March 7, 2021
6. Presentation - Update on the Preparation of the Climate Action and Adaptation Plan



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

REPORTS AGENDA ITEM NO. D.2

DATE: January 25, 2022

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

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

SUBJECT: Update on the City's Climate Action and Adaptation Plan (CAAP). (0/5/5)

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee ("Committee") receive an update on the CAAP efforts and information on the Greenhouse Gas (GHG) emission reduction strategies that will guide the development of the City's CAAP.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/7KRdiXoJ28o>

BACKGROUND

EXECUTIVE SUMMARY

As summarized in the March 30, 2021 staff report, the CAAP had two primary objectives:

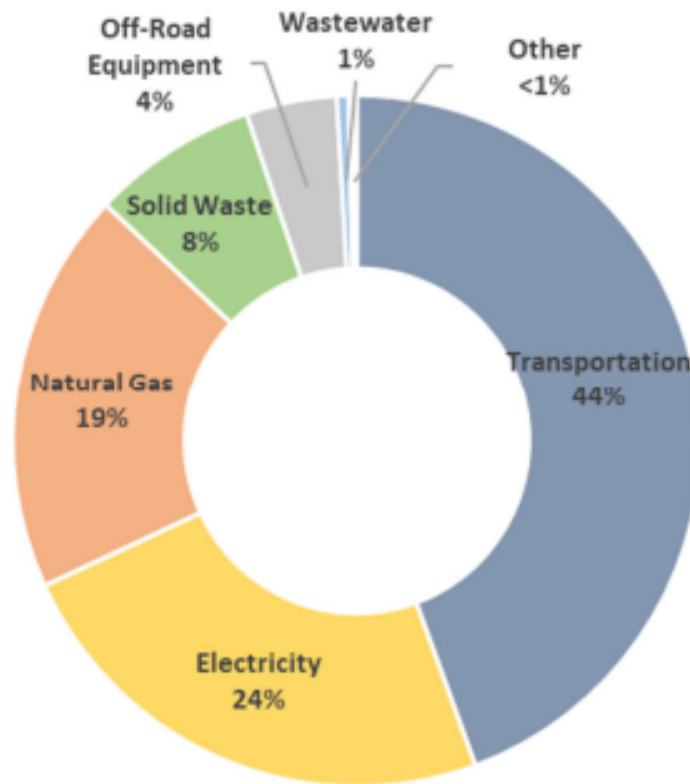
1. To reduce GHG emissions through the implementation of reduction measures to meet or exceed reduction targets mandated by the State of California via Senate Bill 32 (SB 32), which calls for a statewide reduction of GHG emissions to 40 percent below 1990 levels by 2030; and
2. To enhance the community's resilience to a changing climate by addressing the vulnerabilities and risks that are expected to occur as a result of those impacts.

The primary purpose of this report is to summarize GHG reduction actions which were presented to the Committee in March 2021, update the Committee on stakeholder and community input, and review high level GHG emission reduction actions which will be developed further in the CAAP. These actions will result in the greatest GHG reductions at the least cost to the City. Nevertheless, many strategies will require additional staff resources and funding, which will be identified in the implementation chapter of the CAAP.

BACKGROUND

The March 30, 2021 City Council staff report (Attachment A) provides detail on the City's community and municipal operations emissions inventories and forecasts, as well as graphs showing how the City's emissions compared with State-aligned GHG reduction targets. The inventory presented in the March 30th staff report has been updated to reflect updated transportation emissions estimates based on new traffic modeling data. Based

on updated modeling data, the City’s 2018 GHG inventory (the most recent year with accurate available data) is as follows:



Transportation emissions make up a bigger percentage of total community GHG emissions than what was reported in the March 30th staff report (44 percent compared to 31 percent). Municipal operations contributed approximately 3 percent of the total community emissions in 2018, with the biggest sources being electricity use, the municipal vehicle fleet, and wastewater treatment. The sectors contributing the most emissions (on-road transportation, electricity, natural gas, and solid waste), represent more than 90 percent of the City’s total (community and municipal) emissions.

As discussed in the March 2021 report, the CAAP is being developed to align with California’s statewide target mandated by SB 32, which requires the State of California to reduce GHG emissions 40 percent below 1990 levels by 2030. Cities are expected to do their fair share to reach this target. And, in preparing the scope of work and contract budget for the CAAP, the City agreed to reduce the Oxnard GHG emissions to 40 percent below Oxnard 1990 levels by 2030. By adopting this target the City will develop a “qualified CAP/CAAP”, which is an important term, that is consistent with California Environmental Quality Act (CEQA) Guidelines (Section 15183.5(b)). When a City has a qualified CAP/CAAP it can be used to facilitate CEQA clearance of the City’s future development projects with respect to GHG emissions. Developing a qualified CAP is proving to be the most effective and legally defensible way to plan for growth that does not create a significant impact with respect to GHG emissions.

The March 2021 report explained that achieving a target in alignment with SB 32 will require examination of the following sector-specific strategies:

- a. **Green the electricity supply:** This strategy reduces emissions from electricity used by buildings, lighting, and water delivery by increasing the percentage of power being supplied by renewable (i.e., zero-emissions) electricity.

- b. **Electrify buildings:** This strategy reduces emissions from the consumption of natural gas, by shifting the energy use to electricity, which has a lower carbon footprint, particularly when paired with the use of low- or zero-carbon electricity.
- c. **Electrify transportation:** This strategy reduces emissions from on-road vehicles, the biggest contributor to the City's emissions, by supporting the transition to plug-in electric (PEV) and hydrogen-powered vehicles.
- d. **Improve energy efficiency of buildings:** This strategy reduces emissions from electricity and natural gas by reducing the energy needed for heating, cooling and lighting. While new buildings will generally be highly energy efficient due to increasingly stringent building codes (e.g., Title 24), many existing buildings can be greatly improved with respect to energy efficiency.
- e. **Reduce vehicle miles traveled (VMT):** This strategy reduces emissions from on-road vehicles through land-use planning that emphasizes access to transit and reduces the need for vehicular travel through density increases, support for a mix of uses, and safe and convenient pedestrian and bicycle infrastructure.
- f. **Strive for zero waste:** This strategy reduces emissions from landfill decomposition of organic waste by reducing the amount of waste sent to the landfill.
- g. **Conserve water:** This strategy reduces emissions associated with the energy needed to treat and deliver water to the City's end consumers by reducing the amount of water consumed in the City.

It is important to acknowledge that the City has been active in developing programs and initiatives that fall under the strategies listed above:

- **Green the electricity supply:** In 2018, the City joined the Clean Power Alliance (CPA), making 100 percent renewable electricity available to all and streamlined the permitting process for installing residential rooftop solar systems.
- **Improve energy efficiency of buildings:** In 2013, the City adopted an Energy Action Plan that includes policies to increase building energy efficiency and to support local solar PV installations as well as electric vehicle infrastructure.
- **Reduce VMT:** The City is developing a Sustainable Transportation Plan (due to be completed in 2022) which will look at measures to promote walking and reduce driving, improve alternative modes of transportation, and evaluate the roadway network, to name a few elements of the Plan.
- **Strive for zero waste:** The City is also developing a Resource Management Plan to increase recycling, and is planning a new facility to sustainably process organic waste.

However, implementing these initiatives will still be insufficient for the City to achieve its 2030 target, as will relying on the many economy-wide GHG reduction programs and policies being administered by the State with regards to energy and transportation. The City must take additional local action to reduce community GHG emissions enough to be consistent with the State's 2030 GHG reduction target.

COMMUNITY ENGAGEMENT

In May 2021, a series of community and stakeholder outreach activities were conducted to seek input on the strategies presented above as well as other questions pertaining to concerns about climate change and GHG reduction recommendations. Six stakeholder group meetings were held with a focus on specific topic areas. Two public workshops (conducted in both English and Spanish) were also held with a total of 60 participants over two days. The community was also surveyed regarding climate change through a public survey (in both English and Spanish) and resulted in 133 responses received.

In general, these community engagement efforts demonstrate a strong interest in strategies and solutions that are equitable, with the benefits distributed fairly and in a manner that does not put vulnerable communities at

further risk. Participants expressed interest in strategies that target particularly vulnerable populations such as renters and residents in older housing stock, and farmworkers. Across all community engagement activities (community survey, public workshops and stakeholder group meetings) the three climate change impacts of greatest concern to the participants were extreme heat, drought, and air pollution (wildfire smoke in particular). Participants expressed concern about climate change affecting the most vulnerable populations in the community who have higher sensitivity to climate change and have less capacity and fewer resources to cope with, adapt to, or recover from climate impacts.

Community members and stakeholders were given opportunities to provide input and ideas and express their priorities for how best to reduce GHG emissions in the community. Attachment B provides a summary of input received from these outreach activities, including stakeholder group meetings, community meetings and an online survey. Community engagement indicated support for all of the strategies presented above, with the greatest level of support for the following five strategies:

- **Reduce VMT:** Locate and design new development to promote walking and reduce driving, provide safer routes and paths for cyclists and pedestrians, improve the transit system in the City, and encourage housing development along transit corridors. (identified as “extremely effective” by more than 90% of survey respondents)
- **Improve energy efficiency of buildings/electrify buildings:** Require higher energy efficiency in new construction and existing buildings; transition away from natural gas in buildings (efficiency improvements identified as “extremely effective” for new buildings by 68% of survey respondents, building electrification identified as “extremely effective” by 81% of survey respondents).
- **Electrify transportation:** Support electric vehicles by expanding charging options, and electrify the City fleet (identified as “extremely effective” by 78% of survey respondents).
- **Green the electricity supply:** Use more renewable electricity; install more rooftop solar power systems throughout the community and on municipal buildings (identified as “extremely effective” by 85% of survey respondents).
- **Strive for zero waste:** Increase recycling. (identified as “extremely effective” by 83% of survey respondents).

ANALYSIS/DISCUSSION

Many of the GHG reduction strategies put forth in both the March 2021 and January 25, 2022 staff reports require a commitment of City resources and funds to implement them. Other strategies pertain to municipal reductions, which make up a small fraction of total GHG emissions (approximately 3 percent).

In June 2021, the CAAP development team conducted a series of interviews with City staff to determine which strategies should be brought forth for serious consideration in the CAAP, based on community input and known opportunities and constraints. Through this process it was determined that planning for VMT reduction was already being accomplished through the Sustainable Transportation Plan as well as the upcoming General Plan Update, and that planning for progress towards zero waste and reducing solid waste emissions were already being accomplished through the City’s Resource Management Plan. With respect to building electrification, California building code (Title 24) is gradually requiring higher efficiencies and more electrification of new buildings, therefore City staff agreed that additional action is not needed to supplement the State requirements in this area to achieve further GHG reductions. Nevertheless, because there was strong support from the community for this strategy, the Consultant team will explore in the CAAP the actions that the City can take to promote building electrification beyond what Title 24 requires.

Based on stakeholder input, and community engagement, as well as input from City staff members, on the sector-specific strategies presented to the Council in March 2021, the CAAP is being developed to include

the following strategies and key GHG reduction opportunities:

Electrify Transportation

Transportation represents approximately 44 percent of Oxnard's community GHG emissions, and accelerating the transition from fossil-fueled vehicles to electric vehicles is crucial to meeting the City's 2030 target and supporting the state's long term GHG reduction goal of carbon neutrality by 2045. In addition to reducing GHG emissions, electric vehicles can help solve the inequality of air pollution exposure, which tends to disproportionately affect minority populations and low-income groups. The CAAP consultant estimates this strategy could reduce the City's transportation emissions by 18 percent by the year 2030 if community EV adoption aligns with the statewide goal to have 5 million EVs on the roads by 2030. However, Oxnard currently has one of the lowest rates of EV ownership in California at approximately 1 percent, compared to 2 percent statewide. This is likely due to the relatively high cost of EVs compared to conventional vehicles and a lack of extensive EV charging infrastructure. However, the price of some types of EV is coming down and a wider range of EV car and truck models become available each year. Meanwhile, studies show that expansion of EV charging infrastructure is highly correlated with increased EV ownership. Through the State's emphasis in funding for disadvantaged communities, there will be funding for EV infrastructure in these communities. Importantly, prioritizing investments in disadvantaged communities is in line with State environmental justice laws, to help stimulate the economy, while improving the environment and access to opportunities. This strategy would commit City staff time and financial resources into expanding EV charging infrastructure, with priority going to disadvantaged communities, through public-private partnerships and pursuit of grant funding.

Potential actions associated with this strategy include:

- Completing a city-wide plan for expanding EV infrastructure, including identifying optimal EV charging locations, with consideration to where there are gaps in publicly accessible stations (especially for disadvantaged communities), and consider the feasibility of changes to the local building code to encourage preferential EV parking and EV charging stations.
- Tracking and pursuing funding opportunities for expanding EV charging infrastructure and EV grants for disadvantaged City areas;
- Consider measures for expanding and supporting EV including:
 - Installing EV charging and hydrogen fueling stations, as well as preferential parking for EVs;
 - Implementing EV car sharing programs as an opportunity to improve accessibility, and the environment. Applying for EV grants, and program administration will take staff resources and time.
- Considering a fleet replacement plan or policy for City vehicles that includes EVs.

Green the Electricity Supply

Electricity makes up 24 percent of our community baseline emissions. Since this is the second largest source of emissions, many strategies are being developed that focus on this sector. The City's CAAP consultant estimates that more than half of the reductions needed to reach the 2030 emissions target could be accomplished by maintaining a minimum 95 percent community-wide participation in the CPA 100 percent "Green" (renewable) electricity option. Already, as of November 2021, approximately 96 percent of residents and 92 percent of businesses were purchasing 100 percent renewable electricity, relying entirely on wind and solar power procured by the CPA (see Attachment C).

Potential actions associated with purchasing green electricity include:

- Investing City staff time and financial resources to support maintaining a minimum 95 percent community participation rate in CPA's 100 percent Green through the year 2030 will result in

significant GHG reductions. This can be achieved by supplying the community's power needs with green (i.e., zero-carbon or low-carbon) electricity since this is one of the most effective strategies for meeting the City's GHG reduction targets;

- Creating an educational campaign targeted to businesses and residents on the importance of subscribing to the CPA 100 percent renewable (green) level;
- Partnering with CPA on outreach to low-income customers who have opted down to a lower renewables tier to make them aware of assistance programs (e.g., CPA's Powershare program, which offers income-qualified customers in under-resourced communities with discounted 100 percent renewable energy); and
- Subsidizing low-income communities to enable them to subscribe to the CPA 100 percent level, over and above the assistance that CPA already provides.

Although the community can reduce its electricity emissions by purchasing green electricity from CPA, increasing local generation and storage of solar power has important community benefits. Community Solar programs can bring economic development to underinvested communities and reduce the cost of green electricity to low-income customers. Local energy storage increases the opportunities for electricity customers to reduce their energy bills (and their GHG emissions) by enrolling in the utility's "demand response" program, while energy storage at essential facilities helps ensure community resilience to power outages.

Potential actions associated with increasing local generation and storage of solar power include:

- Partnering with CPA to identify local sites for implementation of their Community Solar program, which aims to develop 3.13 MW of solar projects in disadvantaged communities within its service territory. Customers enrolled in the program will receive 100 percent renewable energy at a 20 percent discount on their total electricity bill. Public or nonprofit sponsors of the Community Solar projects will also receive a 20 percent bill discount;
- Partnering with CPA and community-based organizations to promote CPA customer awareness and enrollment in the Community Solar program; and
- Partnering with CPA to develop their Demand Response Program, which will offer incentives to commercial and non-residential customers for the installation of energy storage to enable load-shifting during times of peak demand.

Improve Energy Efficiency of Buildings/Electrify Buildings

Energy (electricity and natural gas) used by buildings represents approximately 43 percent of community GHG emissions. Reducing natural gas is challenging, as it requires more energy efficient buildings and/or transitioning away from natural gas to all-electric buildings (known as building electrification).

For new construction and major renovations California building code (Title 24) is gradually requiring higher efficiencies and more electrification of new buildings, therefore City action is not needed to supplement the State requirements in this area. However, to reduce natural gas from existing buildings requires more local action.

A cost effective strategy for improving energy efficiency and reducing reliance on natural gas includes the City dedicating staff resources to proactively partner with agencies such as CPA, Tri-County Regional Energy Network (3C-REN), and/or the Ventura County Regional Energy Alliance (VCREA) to take advantage of local programs.

Potential actions associated with this partnering strategy include:

- Marketing local utility rebates and incentives;
- Promoting programs that help residents and businesses swap out gas appliances for electric ones (e.g., space and water heaters); and
- Promoting technical support services to improve energy efficiency of existing buildings and building electrification.

In addition, to reduce Municipal Emissions, which make-up 3 percent of the City's total emissions, potential actions in support of this strategy to improve energy efficiency of city facilities will be explored in the CAAP with consideration to fiscal resources, and Capital Improvement Plan (CIP) timeframes and feasibility.

The CAAP will identify specific actions the City can take over the next 3 to 10 years to implement GHG reduction strategies and will help inform the City's Capital Improvement Program (CIP).

NEXT STEPS

Another round of stakeholder group meetings is scheduled to occur on January 26th and 27th, to present the findings of a community-wide climate change vulnerability assessment and solicit input on strategies for increasing resilience to identified hazards. The CAAP consultant will then finalize the Community Vulnerability Assessment and develop CAAP strategies and priority actions for increasing community resilience to climate change, particularly for anticipated impacts related to higher temperatures, drought, and smoke/air quality.

A virtual CAAP community engagement meeting will take place on April 30th, in both English and Spanish to summarize input received in May 2021, and to secure additional input on Community Vulnerability Assessments and recommendations.

The Draft CAAP with strategies and actions for reducing GHG emissions and adapting to climate change will be released for public comment in Spring 2022. The Final CAAP is anticipated to be adopted by the City Council in Summer/early Fall 2022.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

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, promote safe neighborhoods, encourage community engagement, and support our residents in their efforts to improve their quality of life.

This agenda item supports Public Safety strategy. The purpose of the Public Safety strategy is to restore and modernize the delivery of public safety services to provide for the safety of our neighborhoods and health of our community.

FINANCIAL IMPACT

The City recognizes that for the CAAP to be successful, the City must set up a governance structure that both facilitates implementation of the CAAP and demonstrates leadership by integrating climate action into its

operations, culture, public engagement, and financial decision-making processes. The City will need to align its expenditures with CAAP strategies and actions and ultimately the City's CIP process.

Details on cost and fiscal implications for each strategy are not known at this time. A CAAP, similar to a General Plan, will not have costs associated with each strategy or policy. The Final CAAP, to be presented to the City Council in Summer/Fall 2022, will contain an implementation plan, which will include actions to be funded, potential funding sources, and a timeline for the implementing actions on a year-by-year basis. A near term action upon adoption of the CAAP will be the preparation of a conceptual fiscal/cost estimate and funding strategy that identifies the costs associated with each strategy and details the City's approach to integrating CAAP strategies and actions in the allocation of existing funds and when seeking and securing new funding sources. This effort will include securing funding for both the staff needed to successfully implement the CAAP and funding to advance CAAP strategies and actions. Actions identified in this report will require staff resources and funding for support of sustainability initiatives.

The fiscal/cost estimate and funding strategy will help guide future decision making with respect to annual Capital Improvement Plan (CIP) work and municipal budgeting. More specifically, Staff will recommend that City actions around funding focus on identifying opportunities to align the annual city budget, CIP, and other expenditures with near term (year 1 - 3) community and municipal CAAP strategies. Implementation of recommendations contained in the Final CAAP will be included with various Department budget requests.

Prepared by: Kathleen Mallory, Planning & Sustainability Manager

ATTACHMENTS

1. Attachment A
2. Attachment B
3. Attachment C
4. Presentation - Climate Action and Adaptation Plan

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Kathleen Mallory, Planning and Sustainability Manager

DATE: July 7, 2022

SUBJECT: STUDY SESSION ON CITY OF OXNARD CLIMATE ACTION AND ADAPTATION PLAN (CAAP)

1) **Recommendation:** That the Planning Commission:

- a) Receive a presentation from the City's CAAP consultant on the Draft CAAP document;
- b) Receive public comments on the Draft CAAP document; and
- c) Provide feedback on the Draft CAAP document.

2) **Applicant:** City of Oxnard, Long Range Planning & Sustainability Division

3) **Background Information:** In March 2020, the City entered into a contract with Environmental Science Associates (ESA), Inc. for the preparation of the City's CAAP. The CAAP is a plan for reducing the GreenHouse Gasses (GHGs) that contribute to global climate change, and for adapting to the anticipated effects of climate change.

The CAAP has two primary objectives:

- 1. To reduce GHG emissions through the implementation of reduction measures to meet reduction targets mandated by the State of California via Senate Bill 32 (SB 32), which calls for a statewide reduction of GHG emissions to 40 percent below 1990 levels by 2030; and
- 2. To enhance the community's resilience to a changing climate by addressing the vulnerabilities and risks that are expected to occur as a result of those impacts.

Resilience, as defined by the State of California's Adaptation Planning Guide, is the "capacity of any entity—an individual, a community, an organization, or a natural system—to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience." Climate adaptation is defined by this same source as "actions that address the

projected impacts on all aspects of community function that may result from climate change. This can include impacts related to hazard events (flood, wildfire, drought, and severe storms for example), as well as slow changes that affect agricultural, forestry, and fisheries productivity; ecosystem structure and function; and public health.”

Recognizing that GHG reduction is only part of the solution to addressing climate change, the other component is the “adaptation” needed to ensure preparedness and build resilience to expected vulnerabilities and risks that threaten the quality of life in Oxnard. Like other communities in California, Oxnard is likely to face serious economic, social, and environmental challenges in the coming decades due to rising temperatures, sea level rise, extreme storms, wind events, more severe droughts, and diminishing air quality that is expected to occur because of climate change. These impacts present significant threats to community health and wellbeing, which will not affect everyone equally. Vulnerable groups, such as the elderly, low-income families, farmworkers/agricultural workers, undocumented immigrants, communities of color, and individuals already suffering from chronic diseases, will be disproportionately impacted by these changes.

The CAAP draws upon and supports the community’s goals and policies identified in the City’s 2030 General Plan (adopted in 2011, from background data from 2006). Chapter 2, the Sustainable Community (SC) Element of the General Plan draws from SB32 and SB375 and identifies goals and policies to support these measures:

- SC-1.2 – Support Statewide Global Warming and Climate Change Mitigation: Continue to monitor and support the efforts of the California Air Resources Board and other agencies as they formulate Global Warming and Climate Change adaptation and mitigation strategies and programs.
- SC-1.3 – Develop a Climate Action and Adaptation Plan (CAAP) That Supports the Regional SB 375 Sustainable Communities Strategy: Develop a Climate Action and Adaptation Plan that implements requirements adopted by the California Air Resources Board and/or the Ventura County APCD that establishes a GHG emissions qualitative and quantitative threshold of significance, establishes GHG reduction targets, and supports the regional SB 375 Sustainable Communities Strategy. See - <https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Amend-06.2017-SM.pdf> (page 44 of pdf - Page 2-11 of 2030 General Plan document)

The City recognizes the need to reevaluate these policies and will do so as part of the City’s comprehensive General Plan update which will kick off in 2023 (see Next Steps portion of this staff report).

Structure of the Draft CAAP

The Draft CAAP can be downloaded here: <https://www.oxnard.org/climate-action-plan/>. Consistent with the City's sustainability goals and initiatives, the document is being electronically attached to this staff report (Attachment A) and is not being printed and appended to this report.

The Draft CAAP contains an executive summary and five Chapters, as well as Appendices A through G, which provide additional detail on topics covered in the Draft CAAP:

- Executive Summary — The executive summary includes a synopsis of the Draft CAAP, including the plan's organization and a summary of the City's GHG emissions inventory and target, and the CAAP's strategies for reducing emissions and adapting to climate change.
- Chapter 1— Introduction and Background: This Chapter provides an overview of the document, the purpose and scope of the CAAP, the basic science behind climate change, and the importance of considering equity when taking action. In addition, Chapter 1 provides a brief explanation of potential impacts of climate change in the City of Oxnard, the community benefits of taking action, the process for engaging with the community and stakeholders, and a discussion of the state and local actions to reduce GHG emissions.
- Chapter 2— Understanding Oxnard's Greenhouse Gas Emissions: This Chapter presents a summary of GHG emissions being generated by the community and by municipal operations. It provides an understanding of where GHG emissions are originating from, including trends and forecasts, and what can be done to reduce them. Finally, Chapter 2 establishes Oxnard's GHG reduction target.
- Chapter 3— Reducing Greenhouse Gas Emissions: This Chapter describes the GHG reduction strategies and actions the City will implement at the local level regarding energy use, transportation and land use, solid waste management, and water consumption. Chapter 3 addresses each of these sectors, summarizing their contribution to total citywide emissions and describing the strategies and actions that will be implemented to reduce emissions from each category over time.
- Chapter 4— Community Resilience and Adaptation: This Chapter presents an overview of the impacts the City of Oxnard is expected to experience due to projected changes in the climate, and what the City can do to begin preparing for them. It describes expected local impacts and vulnerabilities, and potential adaptation planning strategies.
- Chapter 5— Implementation and Monitoring: This Chapter outlines recommended steps for implementing the GHG-reduction strategies described in Chapters 3 and 4, and for monitoring the progress of implementation. It identifies funding sources and assigns implementation and monitoring responsibility to specific City departments, presenting a schedule for implementation.
- Appendices — The document contains Appendices A - G to document work on the CAAP to support CAAP implementation; including Appendix A— Community and Stakeholder Engagement Reports; Appendix B— Major Climate Policies and

Regulations in California as of 2022: Appendix C— Greenhouse Gas Quantification Methods; Appendix D— City of Oxnard Social Vulnerability Index; Appendix E— Partnering Organizations; Appendix F—Funding Sources; and Appendix G—CAAP Consistency Review Checklist.

4) Environmental Determination: As identified in the March 30, 2021, City Council staff report, the CAAP is being developed to align with California’s statewide target mandated by SB 32, which requires the State of California to reduce GHG emissions 40 percent below 1990 levels by 2030. Cities are expected to do their fair share to reach this target. And, in preparing the scope of work and contract budget for the CAAP, the City structured the document to reduce Oxnard’s GHG emissions to 40 percent below the City’s 1990 levels by 2030. By adopting this target and demonstrating through the CAAP how the City will achieve the target, the City will have a “qualified CAP/CAAP” that is consistent with California Environmental Quality Act (CEQA) Guidelines (Section 15183.5(b)). This is important because when a City has a qualified CAP/CAAP, it can be used to facilitate CEQA clearance of the City’s future development projects with respect to GHG emissions. Developing a qualified CAP/CAAP is proving to be the most effective and legally defensible way to plan for growth that does not create a significant impact with respect to GHG emissions.

5.) Discussion:

a.) General Discussion

The following provides more detailed information related to the key components of the CAAP as a basis for discussion. This includes details related to how the GHG inventory was developed and the main sources of emissions in the City; a summary of the GHG reduction strategies for achieving the City’s GHG reduction goals; a summary of adaptation strategies to prepare and build community resilience; and a summary of the CAAP’s implementation framework. Importantly, following the summary of strategies is a list of implementing actions most impactful in achieving GHG reduction goals (see Attachment B). The Planning Commission may be particularly interested in these implementing actions. Additionally, this discussion concludes with a summary of the community engagement process, the community input received on the Draft CAAP, and next steps leading up to the adoption of the CAAP by City Council which will occur in early Fall 2022.

b.) GHG Inventory

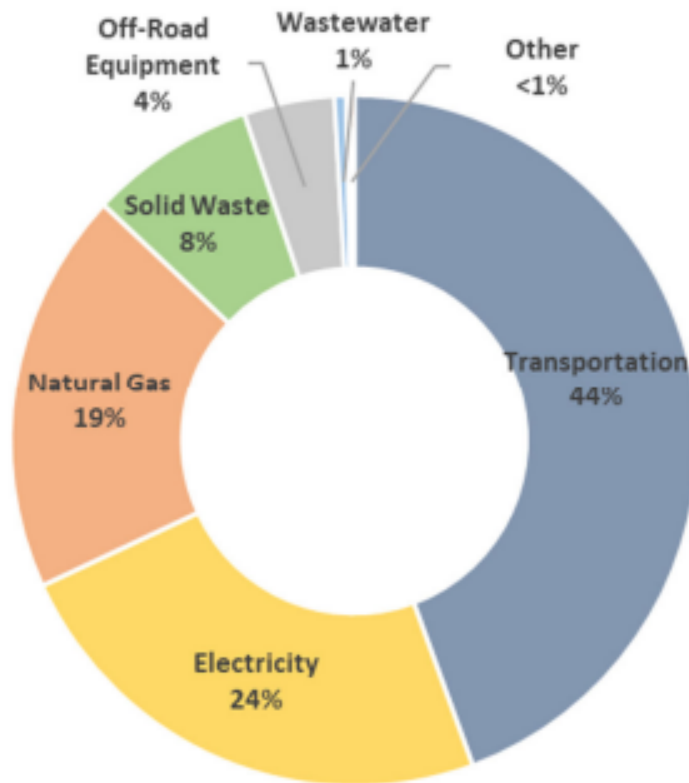
The starting point for addressing climate change mitigation, which is a key component of the CAAP, is an understanding of the sources of the current GHG inventories in the City. These sources include the GHG emissions that the City has direct control over (Municipal GHG

Inventory) and those that result from community activities (Community GHG Inventory), which are directly and indirectly impacted by local government programs, implementation of State mandates, planning, and development decisions.

Since April of 2020, the City has been working with the City's CAAP consultant/ESA and the CAAP team to conduct an analysis of the Municipal and Community GHG Inventories.

These Municipal and Community GHG inventories have been developed using well-recognized protocols published by International Council for Local Environmental Initiatives (ICLEI) and adhere to national standards. The Community inventory utilizes the methodology prescribed by the "U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions", whereas the Municipal inventory, which comprises a subset of community emissions, utilizes ICLEI's "Local Government Operations Protocol". Consistent with national and international agreements, California uses 1990 as the baseline year for tracking and reducing GHG emissions. However, most local jurisdictions select an appropriate baseline year determined by the availability of data. Accordingly, the City has chosen 2010 as its baseline year, consistent with available records and the City Council approved Energy Action Plan (April 2013 - <https://www.oxnard.org/city-department/community-development/planning/energy-action/>), which also used 2010 as the City's baseline.

Following an extensive inventory procurement and analysis process, which included creating a GHG-emission inventory of sources specific to Oxnard, various key sectors (categories of emissions that are defined by the end use that causes them) were identified as the major contributors of GHG in the City. Those sectors, along with the percentage of total GHG contributions in 2018 (most recent inventory) are noted below. These sectors are the areas which directly result in GHG in the City of Oxnard and their percentage contribution to overall City GHG are as follows:



The sectors contributing the most emissions (on-road transportation, electricity, natural gas, and solid waste), represent more than 90 percent of the City's total (Community and Municipal) emissions.

c.) GHG Reduction Strategies

In developing the CAAP for achieving a target in alignment with SB 32, the consultant evaluated and incorporated the following sector-specific strategies:

- a. **Green the electricity supply:** This strategy reduces emissions from electricity used by buildings, lighting, and water delivery by increasing the percentage of power being supplied by renewable (i.e., zero-emissions) electricity.
- b. **Electrify buildings:** This strategy reduces emissions from the consumption of natural gas, by shifting the energy use to electricity, which has a lower carbon footprint, particularly when paired with the use of low- or zero-carbon electricity.

c. **Electrify transportation:** This strategy reduces emissions from on-road vehicles, the biggest contributor to the City's emissions, by supporting the transition to plug-in electric (PEV) and hydrogen-powered vehicles.

d. **Improve energy efficiency of buildings:** This strategy reduces emissions from electricity and natural gas by reducing the energy needed for heating, cooling and lighting. While new buildings will generally be highly energy efficient due to increasingly stringent building codes (e.g., Title 24), many existing buildings can be greatly improved with respect to energy efficiency.

e. **Reduce vehicle miles traveled (VMT):** This strategy reduces emissions from on-road vehicles through land-use planning that emphasizes access to transit and reduces the need for vehicular travel through density increases, support for a mix of uses, and safe and convenient pedestrian and bicycle infrastructure.

f. **Strive for zero waste:** This strategy reduces emissions from landfill decomposition of organic waste by reducing the amount of waste sent to the landfill.

g. **Conserve water:** This strategy reduces emissions associated with the energy needed to treat and deliver water to the City's end consumers by reducing the amount of water consumed in the City.

It is important to acknowledge that the City has been active in developing programs and initiatives that fall under the strategies listed above:

- **Green the electricity supply:** In 2018, the City joined the Clean Power Alliance (CPA), making 100 percent renewable electricity available to all land uses and streamlined the permitting process for installing residential rooftop solar systems.
- **Improve energy efficiency of buildings:** In 2013, the City adopted an Energy Action Plan (EAP) that includes policies to increase building energy efficiency and to support local solar Photovoltaic (PV) installations as well as electric vehicle infrastructure.
- **Reduce VMT:** The City is developing a Sustainable Transportation Plan (due to be completed in 2022) which will look at measures to promote walking and reduce driving, improve alternative modes of transportation, and evaluate the roadway network, to name a few elements of the Plan.
- **Strive for zero waste:** The City is also developing a Resource Management Plan to increase recycling, and is planning a new facility to sustainably process organic waste.

The CAAP incorporates these initiatives, and accounts for the many economy-wide GHG reduction programs and policies being administered by the State with regards to energy,

transportation and solid waste. Still, as the Draft CAAP demonstrates, the City must take additional local action to reduce community GHG emissions enough to be consistent with the State's 2030 GHG reduction target.

Implementing these initiatives will still be insufficient for the City to achieve its 2030 CAAP target, as will relying on the many economy-wide GHG reduction programs and policies being administered by the State with regards to energy and transportation also be insufficient. The City must take additional local action to reduce Community GHG emissions further to be consistent with the State's 2030 GHG reduction target.

d.) Resilience and Adaptation

Recognizing that addressing GHG-reduction is only half of the solution to addressing climate change, the other component is the "adaptation" needed to ensure preparedness and build resilience to expected vulnerabilities and risks that threaten the City. Certain communities in Oxnard, including in the eastern, southern, and central areas, have a higher concentration of populations considered more vulnerable to the impacts of climate change. This is due to multiple social, economic, and demographic indicators of vulnerability such as existing health burdens, poverty, and working conditions. Similarly, certain critical facilities and infrastructure are also at greater risk from climate hazards especially if they are not built to withstand future climate events.

The CAAP will address the future challenges the City will have in addressing climate change and will recommend adaptation measures to ensure the City is ready and able in the future to handle flooding, extreme heat days, degraded air quality, and severe storms as summarized below:

- a. **Extreme Heat:** Strategies to adapt to extreme heat include improving community accessibility to cooling facilities and amenities, providing cooling for households and public facilities, improving community infrastructure to combat heat, and providing support for vulnerable populations to stay safe from extreme heat hazards.
- b. **Extreme Drought:** Strategies to adapt to extreme drought include expanding education and awareness of water conservation and water reuse practices, increasing the city's use of reclaimed water across various facilities and services, and collaborating with local organizations to build capacity for vulnerable groups to respond to drought conditions.
- c. **Smoke and Air Pollution:** Strategies to improve local air quality include reducing mobile pollution sources, increasing access to air filtration, improving indoor air quality, and making hazard alert systems and worker protections more effective for those who are most vulnerable to poor air quality.

- d. **Sea Level Rise (SLR):** Strategies to adapt to SLR are addressed in the City's Local Coastal Plan, and include strategies that decrease hazard risk, relocate or remove development out of hazard areas, and rely on a combination of natural and manmade infrastructure to protect coastal development.
- e. **Extreme Storms and Stormwater Flooding:** Strategies to adapt to extreme storm events include prioritizing low-impact development, improving critical infrastructure, monitoring flood impacts, coordinating evacuation procedures, implementing green infrastructure, and remediating areas with stagnant water.

As part of the City's General Plan update, the City will also simultaneously update the City's Local Coastal Plan (LCP). Following the LCP update the City's Local Coastal Implementing Plan (LIP, Chapter 17 of the Oxnard City Code) will be updated. In preparation for work to update the City's LCP, the City prepared an Adaptation Report for consideration in developing the City's SLR Adaptation Strategy for application in the LCP. This report will assist in developing the approach and process for coastal permitting, SLR adaptation planning, and related regulatory processes. See - <https://www.oxnard.org/wp-content/uploads/2021/04/Sea-Level-Rise-Adaptation-Strategy-Report-Summary.pdf>. This report and recommended strategies was utilized as part of the Draft CAAP document. The LCP update will utilize this information and may consider options to these SLR protocols. The City will be initiating the LCP update with the City's 2050 General Plan update, which is anticipated to kick off in 2023 and is anticipated to take three (3) to four (4) years to complete. The CAAP should be updated every five (5) years; with LCP related work, adaptation strategies will be reviewed, and evaluated as part of the City's SLR policy approach.

e.) Implementation and Monitoring - This Chapter outlines recommended steps for implementing the GHG-reduction strategies described in Chapters 3 and 4, and for monitoring the progress of implementation as well as resilience and adaptation strategies. It identifies funding sources and identifies implementation and monitoring responsibility to specific City departments, and presents a schedule for implementation.

For GHG Reduction Actions: The Draft CAAP document identifies near term (Fiscal Years (FY) 2022-2025), mid term (FY 2025 to 2027), and long term (FY 2027-2030) implementation measures in order to realize GHG reduction goals. The long term actions are important for staying on track to achieve the deeper reductions needed throughout the State to reach carbon neutrality by 2045 (as called for in Governor's Executive Order B-55-18).

The City's Capital Improvement Program (CIP: FY 2022-2027) was adopted earlier this year, and represents a multi-year CIP. Projects from the CIP are presented to the City Council for funding approval in two-year increments; earlier this year the City Council approved projects for FY 2022-2024. Projects from the CIP will be presented to the City Council for funding in 2024 for FY 2024-2026. Since near term CIP projects have already been approved through 2024, the

soonest near term efforts that could occur would begin in FY 2024-2025. The Draft CAAP identifies a number of near term efforts and based upon the two-year CIP approval time frames, the City would have limited time to execute these projects due to the City's two-year CIP project adoption time frames. City Council prioritization will need to occur as part of the City's yearly budgeting and CIP approval process.

For Resilience and Adaptation Strategies: Due to the inherent uncertainty of how future climate hazards will develop and the range of time frames in which the community will experience impacts, the time frames indicated for resilience and adaptation strategies differ from those used for the GHG Reduction Actions and are not proposed to change between the Draft CAAP and Final CAAP.

Staff in collaboration with the Public Works Department is recommending that the Draft CAAP timeframe change. Shifting near and mid-term efforts will not impact the City's ability to achieve GHG reductions within prescribed time frames.

These recommended changes to the Draft CAAP time frames are as follows:

For GHG Reduction Actions	
Draft CAAP Chapter 5 Time frames	Staff Recommended Final CAAP Chapter 5 Time frames
Near Term 2022–2025	Now 2022-2026
Mid Term 2025–2027	Now 2026-2030
Long Term 2027– 2030*	Now 2030-2035
*Currently there are no strategies identified for the Long-Term measures; however, that could change with future updates to the CAAP	

f.) Policy Considerations Regarding GHG Reduction Strategies

A few of the strategies and actions in Chapter 5 are considered policy level items which have been highlighted in Attachment B. These policy items pertain to procuring clean energy, green building infrastructure, waste reduction and recycling, transportation, land use, and water conservation. These particular strategies and actions may have significant cost to the City, are essential to achieving GHG reduction goals, and will impact City budgets and operations. City Council will be alerted to these items when considering the Final CAAP in early Fall 2022.

g.) Community Engagement

In early 2021 staff assembled a Stakeholder Group to help guide in the development and visioning of the CAAP document. The roughly 125 member stakeholder group was focused on the following topic/issue areas: Environmental, Businesses, Utilities & Franchisees/Agency Representatives, Community Organizations, Education and Health Care, and City Staff. Over the past two years, this group has been consulted and engaged to secure feedback and input. Due to the pandemic outreach measures, approaches, and protocols had to be adjusted. The following summarizes meeting dates and outcomes, which is also summarized in Appendix A of the CAAP document:

- March 30, 2021 - City Council update regarding preparation of the CAAP document, including a detailed summary of what created climate impacts in the City, and an analysis of the City's compliance with emission targets, and identification of what the City can do to reduce these climate change activities. The staff report established that the CAAP was being developed to align with California's statewide target mandate by SB32; this requires the State to reduce GHG emissions 40 percent below 1990 levels by 2030. As supported by the City Council, the City's CAAP programs and policies were crafted to meet that reduction criteria.
- May 1 - 31, 2021 - Release of CAAP public survey (available in both English and Spanish) regarding key CAAP questions. The City received 133 survey responses.
- May 3rd and 10th, 2021 - Round 1 Virtual Stakeholder meetings with participants to discuss global climate change concerns, including vulnerable communities, and actions to consider for reducing GHGs in Oxnard. Six stakeholder group meetings were held during this time frame.
- May 17 and 22, 2021 - Virtual Public Workshops (conducted in both English and Spanish, including translation of PowerPoints) were conducted asking a series of questions regarding the CAAP. Approximately 60 members of the public participated during these two public workshops. The purpose of these engagement efforts was to identify the climate change impacts of most concern to the community and to gather ideas about the best ways to reduce GHGs in the community. These engagement efforts helped identify climate impacts of concern in the Community Vulnerability Assessment, and to identify effective CAAP strategies and actions for improving community resilience and

reducing greenhouse gas emissions.

- January 25, 2022 - Community Services, Public Safety, Housing & Development Committee (“Committee”) report on the City’s CAAP including identification of a reduction percentage in compliance with State law. The report summarizes GHG reduction strategies, and provides the Committee with an update on stakeholder and community input.
- January 26th and 27th 2022 - Round 2 Virtual Stakeholder meetings with between 40 and 50 participants to: (1) Gather input on community vulnerabilities to climate change and potential strategies to address vulnerability; and (2) improve the understanding of community experience with climate change hazards and social vulnerability and equity. Five stakeholder group meetings were held during this time.
- April 26, 2022 - The Draft CAAP was posted on the City’s CAAP website, with distribution to the City’s CAAP Stakeholder Group. Comments on the Draft CAAP were requested by June 1, 2022. As of this staff report preparation (June 1st) the City has received nine (9) comment letters (see Attachment C, which includes the comment letters and the City’s response to these comments).
- May 5, 2022 - The City conducted a Virtual Public Workshop where the Draft CAAP was reviewed. Members of the City’s CAAP Stakeholder group provided verbal comments on the document along with written comments. The City has prepared a response to comments document on the Draft CAAP which are contained in Attachment D.
- May 9, 2022 - The City conducted virtual drop in office hours from 4 - 6 p.m. (English and Spanish translation available), where community members were encouraged to “drop by” at any time to receive information and ask questions; no members of the public “dropped by” despite social media promotion measures and working with the City’s stakeholders group to promote the virtual hours.
- May 14, 2022 - Community members participated in the City’s virtual community workshop where the Draft CAAP was presented and participants were able to provide input. English and Spanish translation and interpretation were provided, along with a translated powerpoint. The event was posted on the City’s CAAP website, promoted via the City’s stakeholder group, and promoted on social media platforms. Approximately five (5) members of the public participated. A summary of the input is contained at the end of Attachments B and D.

h.) Community Input on Draft CAAP:

During the 43-day review period, the City received nine (9) comment letters (see Attachment C). Staff has summarized the comments, and provided detailed responses to these comments. Further, Attachment D provides input on how the comments were addressed and identifies where the comment resulted in changes to the CAAP document. In many instances input resulted in additional language refinement, and clarification.

In reviewing comments, the comments generally pertain to the following topic areas; *staff’s response to the themes follows in italics:*

- The City should exceed the California Building Energy Efficiency Standards Mandate for Full Electrification Sooner than State Requirements - A number of commenters expressed support for electrification in new construction earlier than mandated by California code requirements. *The City's current strategy regarding building electrification is to enforce the requirements of California's building energy efficiency standards (Title 24, Part 6), which are updated every 3 years and will require new home construction to be 'electric ready' effective January 1, 2023. Future updates are expected to have even more prescriptive building electrification requirements. While the City recognizes that building electrification is beneficial from a GHG reduction perspective, it also sees the need to retain natural gas as a reliable energy source for times when the electricity grid is disrupted, at least for the foreseeable future until adequate local energy storage capacity is developed. Meanwhile, the Draft CAAP demonstrates that the City can achieve its 2030 GHG target without instituting an electrification reach code. Additionally, the City of Oxnard's population is considered an at risk population, where power redundancy and energy security is needed for the City's population. Redundancy is necessary in the event of an emergency, power shut offs, and/or brownouts, and to ensure that the City's population is not put at risk. Insufficient or non-existent energy sources results in facilitates being inhabitable which puts the City's population at risk and strains emergency response resources. The City supports climate change resiliency by having redundant energy sources and the City supports clean energy efforts. The City's population and community would be served by securing infrastructure redundancy grants which would be implemented with electrification conversion; thus, still ensuring clean energy while providing redundancy.*
- Details on the Cost and Precise Timing Associated with Programs and Measures should be provided - The City should know the fiscal ramifications associated with various strategies and actions. *A detailed fiscal impact analysis is an expensive undertaking. Further, conducting this analysis prior to Council's consideration of the various strategies and actions is not prudent. A fiscal impact analysis is impacted by market conditions and economics. Therefore, it is recommended that it occur on near term projects to ensure estimates are realistic and align with the City's two-year CIP process.*
- The City should set more ambitious GHG emission targets and stronger greenhouse gas reduction goals such as 50-60% reduction by 2030 and carbon neutrality by 2035. *While state measures are critical to meet the City of Oxnard's (City's) emission reduction goals, they are not likely to be all that is needed. Local policies and programs—and choices made by the City's residents and businesses—will determine the City's ability to achieve its emissions-reduction target for 2030. Through implementation of the strategies and actions in the CAAP, the City anticipates, at minimum, annual emissions reductions of 210,959 MTCO₂e by the year 2030, as shown in Table 3-1. Combined with state measures, local actions will enable the City to reduce its total community GHG emissions to approximately 499,311 MTCO₂e in the year 2030, as indicated in Table 3-2. This is just enough to achieve the City's stated target. Figure 2-4 in the Draft CAAP also indicates that the reductions expected from state standards and regulations are not enough to achieve the target, and additional local actions are needed. As indicated by the adjusted Business as Usual (BAU) forecast, the sectors with the greatest need for additional emissions reduction are on-road transportation, natural gas, electricity, and solid waste.*

- The CAAP should contain more information regarding measures to improve pedestrian, bikes, transportation, and micro-mobility solutions. The pedestrian, bicycle, and transportation network should be improved and options for getting folks out of cars should be more robustly considered and evaluated. *The Draft CAAP referenced a number of programs, grants, and projects the City is working on. The City's Sustainable Transportation Planning (STP) Grant will produce a plan incorporating complete streets design, safe routes to school, vision zero, and first/last mile planning in tandem with land use opportunities, plans, and existing conditions. This project is collaborative in nature, focusing on inclusive community engagement to ensure that the needs of each community, age group and socioeconomic status are represented. Development of the STP will include idea generation and prioritization, establishment of the sustainable transportation framework, catalog of enhanced streetscape elements, conceptual design alternatives, identification of funding sources, implementation steps, and a final STP for adoption by the City Council. The City's Bicycle Facilities Master Plan along with the Santa Clara River Master Plan is referenced through strategies and actions to improve alternative forms of transportation. The City also recognizes that through the 2050 General Plan update which will kick off in 2023, land use patterns and alternatives will be robustly evaluated.*
- Policy Level Comments from the Public - The public provided input on the Draft CAAP and raised policy level questions. Generally these pertained to energy usage/general, transportation, coordination/programming, heat use, energy/electrification, building/energy, resilience/SLR, and CAAP implementation. These are also summarized in Attachment B, "Public Comment", with responses detailed in the CAAP stakeholder community response to comment document, Attachment D. These will be highlighted when the Final CAAP is presented to the City Council in Fall 2022. meeting, along with the overall policy level items.

i.) Next Steps:

The purpose of the July 7th Planning Commission meeting is to conduct a study session on the Draft CAAP. As identified in Attachment D, Staff is aware of edits necessary and recommended to the CAAP document. On July 21st the Planning Commission will be asked to adopt a resolution recommending City Council approval of the Final CAAP. Due to publication deadlines and to conserve fiscal resources, the Final CAAP will consist of the Draft CAAP and Addendum No. 1 to the Draft CAAP which will comprise Attachment D and any other recommended CAAP edits. The Final CAAP will include a preamble from the Mayor, and cover page with City renewable resources.

These documents will be transmitted to the City Council for approval, along with the Planning Commission resolution of approval in early Fall 2022.

Attachments:

- A. Draft CAAP Document - see link: <https://www.oxnard.org/climate-action-plan/>
- B. Strategies/Policy Document

STUDY SESSION ON CITY OF OXNARD CLIMATE ACTION AND ADAPTATION PLAN (CAAP)

Planning Commission Meeting Date: July 7, 2022

Page 15 of 15

- C. Comment Letters on Draft CAAP as of June 1, 2022
- D. CAAP Stakeholder and Community Comment Letters (9 letters/emails) and City Response within matrix

Attachment A

Draft CAAP Document - see link: <https://www.oxnard.org/climate-action-plan/>

Removed to avoid duplication

Attachment B

Strategies/Policy Document

Removed to avoid duplication

Attachment C

Comment Letters on Draft CAAP as of June 1, 2022

Attachment C

Date	Name	Contact info	Stakeholder Organization or Public	Comment Number & Document
5/7/2022	Chris Tull	ctull@gmail.com	Climate Hub	<u>1 - 5</u>
5/9/2022	Clay Downing	clay.downing@ventura.org	County of Ventura	<u>6 - 7 & 41 - 50</u>
5/12/2022	Jim Danza	danzajm@outlook.com	Public	<u>9 - 34</u>
5/14/2022		oneilpedal4@gmail.com	Public	<u>8</u>
5/20/2022	Clay Downing	clay.downing@ventura.org	County of Ventura- County Executive Office	<u>41-50</u>
5/20/2022	James Danza (Chair)	danzajm@outlook.com	Friends of Santa Clara River (FSCR)	
6/1/2022	Nicole Collazo	nicole@vcapcd.org	Ventura County Air Pollution District	<u>51-61</u>
6/1/2022	Micheal Chiacos (Chair)	mchiacos@cecmail.org	Community Environmental Council	<u>62-73</u>
6/2/2022	Isadora Nogueira	isadora.nogueira@trackingcalifornia.org	Tracking California	<u>74-81</u>



Letters #1 - #4

Ramirez, Rosheil <rosheil.ramirez@oxnard.org>

CAAP Feedback

Chris Tull <ctull17@gmail.com>
To: OxnardCAAP@oxnard.org

Sat, May 7, 2022 at 3:47 PM

Hello,

Thank you for putting together this comprehensive document! Please see my comments below.

E3.3

I strongly support action E3.3 – "Identify potential partnerships, funding, or financing sources for installing storage and microgrids in the community".

The city's GHG strategy relies heavily on a decarbonizing electric grid, and an electricity mix that is heavy on renewable energy. However, energy storage appears to be falling far short of the levels needed to support rapidly scaling levels of intermittent renewable energy, making this a potential bottleneck in the city's strategy.

The city could identify potential development sites for additional grid-scale energy storage projects comparable to the [100MW Saticoy Energy Storage Site](#).

As an added benefit, pursuing additional local energy storage projects would increase the city's resilience during extreme heat and/or wind events that could disrupt the electric grid and therefore ability of residents to cool themselves.

B2

As an additional action under section B2, the city should adopt a ["REACH" building code requiring new construction to be all-electric](#).

T2

The performance objectives for T3 list increasing the mileage of Class I–Class III bike lanes, but neglect to mention Class IV bike lanes. [Class IV bike lanes represent on-street bike lanes that are protected from traffic by a vertical element or barrier](#). This section should be amended to include class IV bike lanes.

T4

- Section T4 should mention Metrolink and Amtrak, and their importance as regional providers of rail transit. Regional rail can provide an important piece of a low-carbon transportation future, especially when paired with bike and car-sharing, EV chargers, etc.
- Section T4 should mention actions that the city can take to directly speed up bus routes such as creating dedicated bus lanes or giving priority to buses and cyclists at traffic lights.

Thank you,
Chris

--
Christopher Tull
Oxnard, CA 93036



Simpkins, Matthew <matthew.simpkins@oxnard.org>

Fwd: CAAP Feedback

Mallory, Kathleen <kathleen.mallory@oxnard.org>
To: Matthew Simpkins <matthew.simpkins@oxnard.org>

Mon, May 9, 2022 at 12:12 PM

Mat - please add this to the CAAP Input table. And my response.

Thanks,
Regards,

Kathleen Mallory, Planning & Sustainability Manager
AICP, MA, LEED GA
Community Development Department
214 S C Street | Oxnard, CA 93030
O: 805-385-8370 | F: 805-385-7417
www.oxnard.org



The Community Development service counter is open to the public from 8:00 a.m. to 4:00 p.m., Monday through Thursday and 9:00 a.m.-4:00 p.m. on alternating Fridays.

----- Forwarded message -----

From: **Mallory, Kathleen** <kathleen.mallory@oxnard.org>
Date: Mon, May 9, 2022 at 12:11 PM
Subject: Re: CAAP Feedback
To: Chris Tull <ctull17@gmail.com>

Hi Chris -

Thanks for the follow up. In terms of housing sites, this is covered under the Housing Element. We did rely on the outcome and finding of this study within the CAAP document. So we have this covered.

In terms of the sustainable transportation implementation efforts, we specifically DID NOT include these measures in the document because we are still working on this plan. The CAAP makes reference to this grant knowing the outcomes will be developed and implemented.

Do you have any other questions?

Regards,

Kathleen Mallory, Planning & Sustainability Manager
AICP, MA, LEED GA
Community Development Department
214 S C Street | Oxnard, CA 93030
O: 805-385-8370 | F: 805-385-7417
www.oxnard.org



The Community Development service counter is open to the public from 8:00 a.m. to 4:00 p.m., Monday through Thursday and 9:00 a.m.-4:00 p.m. on alternating Fridays.

On Mon, May 9, 2022 at 10:04 AM Chris Tull <ctull17@gmail.com> wrote:

No problem, Kathleen! Thanks for your hard work on this plan. I feel like this city and the consultant did a good job, especially given the limited number of levers that cities have with respect to decarbonizing electricity and natural gas.

The one spot I would have loved to see more discussion of is sustainable transportation which is a key lever where the city has lots of control, but I understand the logic of pushing that into a separate planning process with dedicated funding. I also feel like this plan could have proposed more specific actions on the housing side with respect to zoning changes, etc. but I didn't have any specific recommendations to provide there.

#5

Thanks again,
Chris

On Mon, May 9, 2022 at 9:29 AM Mallory, Kathleen <kathleen.mallory@oxnard.org> wrote:

Hi Chris - Thank you for your thoughtful comments. We'll keep these for the records and utilize for consideration of amendments to the CAAP.

Thank you again, for your continued engagement on this exciting effort!

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



Simpkins, Matthew <matthew.simpkins@oxnard.org>

CAAP Input During Chat for May 5th Stakeholder Meeting

1 message

Mallory, Kathleen <kathleen.mallory@oxnard.org>
 To: Matthew Simpkins <matthew.simpkins@oxnard.org>

Mon, May 9, 2022 at 3:15 PM

Mat - please add this also to the summary of input on the CAAP.

Clay Downing - do we have a Qualified CAAP?

One of the items that I have been thinking about with the County's strategy and that is pretty top of mind (haven't checked in your CAAP yet) is whether or not development standards for project-level GHG emissions standards need to be adopted in our initial study assessment guidelines. Some regional cities and counties have them....but we don't and it feels like a missed opportunity for influencing development and financing local GHG measures through mitigation. I don't want to go into that in this meeting, but its something that's on my mind on actionable CAP mechanisms right now.

#6

Water / Gray Water Comment - We should have Gray Water Use

Laura, please look at strategy W1 and Strategy ED-1. As Jeff mentioned, if you have additional thoughts or comments about those strategies please provide them in comments. Thanks!

#7

N/A
 internal
 comment

Regards,

Kathleen Mallory, Planning & Sustainability Manager
AICP, MA, LEED GA
Community Development Department
 214 S C Street | Oxnard, CA 93030
 O: 805-385-8370 | F: 805-385-7417
www.oxnard.org



The Community Development service counter is open to the public from 8:00 a.m. to 4:00 p.m., Monday through Thursday and 9:00 a.m.-4:00 p.m. on alternating Fridays.



Ramirez, Rosheil <rosheil.ramirez@oxnard.org>

We need safe bike and walking

1 message

oneilpedal4@gmail.com <oneilpedal4@gmail.com>

Sat, May 14, 2022 at 1:43 PM

To: OxnardCAAP@oxnard.org

Sirs;

I suggest that we create a bike/walking trail system on the banks of the Santa Clara River.

This would help my family and neighbors to travel in a less polluting fashion.

I bike path from Saticoy area to the Ventura Harbor would assist us to travel safely to the Harbor and Downtown Oxnard and Ventura.

Thanks

Sent from my iPhone

} #8

To: City of Oxnard

From: Jim Danza, AICP

Date: May 12, 2022

Subject: Comments on City of Oxnard Climate Action and Adaptation Plan

As a professor of geography and environmental science at Oxnard College and a bicycle commuter through the city, I am happy to provide the following comments to strengthen this important plan. Climate science, and environmental/climate justice are part of campus academics and community service efforts. I am encouraged that collaboration will grow as our community acts on this plan. The following are my comments as a subject matter expert and community stakeholder; however, they are not intended to represent the official position of the Oxnard College.

The Plan provides a good framework and actionable changes to help reach GHG reductions. More emphasis is needed on the existential threat of the climate crisis to ensure actions are taken immediately.

Terms like “educate” and “promote” are used for implementation actions. Although these are altruistic and are important part of the plan, experience shows they have limited results. More emphasis is needed on what drives change such as:

- Connecting people’s experiences with climate change, such as the cause of water shortages, higher food and insurance rates.
- Economic incentives such as rebates, pricing to encourage conservation (for water use and permits), prizes/rebates for non-auto use

Here are specific comments by page/section:

ES-3 The case for dramatic action on climate needs to be made. The report opens with soft language about potential impacts. Consider that the overall societal response is currently tepid. The report should come across as borderline “alarmist”, as it should paint a realistic picture of current and predicted climate change impacts. The urgency of the crisis can be brought to the forefront using information for trusted sources such as the IPCC and NOAA.

Language such as “Chapter 1 provides a brief explanation of potential impacts of climate change in the City of Oxnard” makes it seem like climate change is a “potential” problem, rather than the problem we now observe. Climate change is a true crisis and this plan should be written as such.

The reports states on page 1-2 “In recent years, Oxnard has experienced heat waves and wildfire smoke that have impacted the health of the local community, particularly farmworkers and other vulnerable groups.” and “IPCC has reported that “human-induced climate change,

#9

#10

#11

including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people, beyond natural climate change variability". This report should reflect the true crisis in its opening statement.

#11

The concept of "tipping point" should be explained where IPCC and others explain that drastic action is needed now to avoid point of no return for warming and other tipping points for sea level rise and ecology.

Pg 1-7 Youth Voices need to be heard, however a consistent theme among college students is that students are often not aware of the severity or precise consequences of climate change. The CAAP should acknowledge this and emphasize the impacts of climate being experienced and the necessary actions that citizens can take. Citizen action should be facilitated by the city wherever possible.

#12

Pg 1-15 Bicycle and Pedestrian Facilities Master Plan is relied upon to help meet climate goals. No mention is made here that disadvantage communities and high fuel costs can be a main driver to increase bicycle and pedestrian facilities. These will not only reduce GHG but are an equitable means toward environmental and climate justice.

#13

Pg 3-5 Table 3-1:

Overall comment: Assumptions and calculation are not shown for annual reductions.

- #14

For T1: Expand Zero Emission Vehicle (ZEV) Charging and Fueling Infrastructure. I don't see how 2030 ANNUAL REDUCTIONS (MTCO₂e/YEAR) is calculated. In fact, the act of providing charging itself doesn't result GHG emission reduction, but the elimination of fossil fuel auto use does. Therefore, the table should be modified and list the reduction of fossil fueled-highway miles driven due to increased charger access.

#15

T3: Expand Infrastructure for Pedestrians, Bikes, and Micro- mobility Solutions has a 121 MTCO₂e/YEAR which seems quite small. The transportation sector is 389,079 MTCO₂e/YEAR so ridership increase due to better bicycle facilities amounts to 0.03% reduction. Either the calculation is not realistic or bicycle planning is not aggressive enough.

#16

Oxnard is well situated become a well-connected active transportation city:

- Many areas of Oxnard are high density with proximity to neighborhood services. High street activity is seen through Oxnard Neighborhoods.
- Many residents already walk and bike and would do so more often and in higher numbers given the opportunity to do it safely.
- Many residents drive because of the safety issues even through car ownership and fuel have a high impact on their finances.

While there are challenges in dealing with the built environment, the city should make it a high priority and take extreme measures now for active transportation. Suggestions in the plan can go beyond what is in past and current plans like the Sustainable Transportation Plan.

#17

Here are some examples:

- Add protected bike lanes everywhere possible. Reconsider every street. Remove unnecessary lanes. If lanes are marginally needed, keep lanes only at intersections for the queue and higher flows on greenlights with most of the road length redesigned to include Class 1 and 4 bike lanes.
- Reconfigure and add sidewalks and shade to allow safe walking and biking.
- Climate change impacts will have an increasingly large impact on the city. Therefore, much more drastic measures should be taken now.

#17

T5: Expand Car and Bike Sharing is a great concept that should be tested to see if it is workable in the community. Its success will also depend on T3 above.

#18

Pg 1-15 Bicycle and Pedestrian Facilities Master Plan. Should also reference and give priority regional bicycle and active transportation plans, such as the Santa Clara River Bicycle Master Plan and Ventura County ATP.

#19

Pg 3-17 B2: Electrify Buildings section should consider an ordinance requiring residential electrification.

#20

Pg 3-20 T1: Expand Zero-Emissions-Vehicle (ZEV) Charging and Fueling Infrastructure Indicates 57 charging stations. It appears overstated considering that the various types of plugs and amps/volts. For example, a Nissan LEAF only 9 public chargers are available that are unrestricted.

If residential is counted, then the goal of 1,500 is low. It may be better to separate public charging from residential to get a more realistic picture of charging capability. Also quantity does not speak to usage when considering types of output/connections, access restrictions and costs.

#21

For Municipal Operations, actions should consider cost of charging at public stations. More families will likely purchase electric cars if charges are readily available and affordable.

Pg 3.24 T3: Expand Infrastructure for Pedestrians, Bikes, and Micro-Mobility Solutions

The first paragraph discussion on "share of people" who currently walk and bike should include citation of studies that indicate that the creation of a safe bike network increases walking and riding many times over, such as:

- [National Association of City Transportation Officials](#) "More people ride when cities build protected bike lanes. Studies from cities across North America show that adding protected bike lanes significantly increases bike ridership on those streets, with rates ranging from 21% to 171%."

#22

- Safer Cycling BICYCLE RIDERSHIP AND SAFETY IN NEW YORK CITY

"More New Yorkers than ever before are embracing cycling as a convenient and affordable way to get around—in the last decade alone, annual bicycle trips rose 150%."

#22

T4: Improve Transit Effectiveness and Accessibility should include municipal measures for transit for employees and city events where public transportation is provided or recommended, and that events should encourage or incentivize walking or bicycle riding to events.

#23

3.29 Land Use A more relevant photo should be used that shows residential units with business and services in the same building, like the new development near Wagon Wheel.

#24

3-34 W1: Increase Water Conservation and Reuse Actions should specifically include a statement that discourages use of artificial turf which tends to radiate heat worsening the urban heat island, increases carbon and pollution footprint due to production of plastics, no GHG absorption, and disposal issues at the end of its life. This will help encourage the use of native plants and trees, which have a cooling effect, absorb GHG, provides urban ecology, and are very low water use.

#25

Pg 3-38 Nature-Based Solutions Discussion should emphasize avoiding use of artificial turf. Actions should include ordinance against its use except for specific circumstances, such as sports fields or where live plants are not practical.

#26

Pg 3-39 N1: Increase Local Carbon Sequestration should include working with non-profit community and environmental organizations to meet these goals. The city should have a coordinator to help with implementation. Expansion of the City Corps to meet these climate goals should be considered.

#27

Pg 4-1 Community Vulnerability and Adaptation

Wording should emphasize impacts already being experienced, such as "The changing climate is already impacting Oxnard which is experience more-extreme heat events, worsening air quality due to smoke events, and severe droughts that will strain already constrained water supplies." Each of these facts can be verified and cited as needed.

#28

The concept of using light colors (low albedo surfaces) to reduce the urban heat island effect should be included. Some municipalities encourage light colored roofs, pavements and other surfaces to reduce solar absorption.

4-14 POTENTIAL STRATEGIES FOR ADAPTING TO EXTREME HEAT (EH) section should have an actions section for implementation.

#29

Pg 4-15 Statements like: "EH4: Prioritize urban greening and shading along active transportation routes and commuting services" should be reworded to say: "Give higher priority to..." to encourage climate change as a high priority among the priorities in the city.

#30

Pg 4-25 For: "...sea levels are increasing globally at a rate of about 3.2mm/year." ignores the fact that the rate-of-rise is accelerating exponentially, meaning the rate since 2010 is faster than previous decades and the increase will rise at a faster rate in future decades.

#31

The potential costs of resilience and losses should be estimated as an argument to ensure implementation of the actions throughout the report. The plan indicates, "Certainty is High" and therefore the actions in this report must be implemented to reduce future impacts.

Pg 5-2 The plan states: "It is important to acknowledge the critical role of behavior change in reducing community GHG reductions. Community involvement has been important to the development of the CAAP, and will continue to be an essential component of the implementation process, as many strategies depend", however, legal, financial, and other incentives are required to get the massive change that is needed. Education and involvement is important but is not enough.

#32

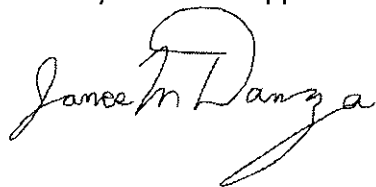
Regarding active participation by residents and businesses best to state: "Residents, workers, and business owners in Oxnard all have a critical role to play in helping the City attain its GHG reduction and climate resiliency goal".

#33

Regarding implementation, the plan should recommend that relevant portions are inserted into the internal city operations. For example, the actions related to streets, landscape, tree canopy, walk/bicycling, must be included in city employee daily tasks. This will ensure that decision makers, management, and employees are implementing the actions included in this plan.

#34

Thank you for the opportunity to comment on this important plan.



James M. Danza, AICP
Professor of Geography and Environmental Science
Oxnard College*

*Comments are not intended to represent the official position of Oxnard College



COUNTY of VENTURA

County Executive Office Sustainability Division

Friday, May 20th, 2022

Attn: Ms. Kathleen Mallory, AICP, MA, LEED GA
Planning & Sustainability Manager
City of Oxnard, Community Development Department
214 S. C Street, Oxnard, CA 93030

Subject: Comments on the City of Oxnard's Public Review Draft Climate Action and Adaptation Plan (CAAP) from County of Ventura Sustainability Division

On behalf of County of Ventura's Sustainability Division, we are writing to express our support for City of Oxnard's Climate Action and Adaptation Plan (CAAP). Below are comments from our Division regarding the Public Review Draft CAAP published in April 2022.

On September 20, 2020, the Ventura County Board of Supervisors adopted the *Ventura County 2040 General Plan* which includes an integrated Climate Action Plan (CAP). On November 6, 2021, the Ventura County Board of Supervisors received a *Budget and Staffing Plan for Climate Action Plan Implementation* and designated the County's Sustainability Division as the Project Manager for CAP implementation. As such, these comments reflect a desire to share best practices from the Sustainability Division's experiences and align the goals, policies, and programs of the County's CAP with the future policies and actions of Oxnard's CAAP.

Recommendation	Comments on Recommendation
Clean Energy – Strategy E1. Procure Clean Energy Recommend New Measure to Require That Lessees of City-Owned Property Use 100 Percent Renewably Generated Electricity if Available	On January 25, 2022, the Ventura County Board of Supervisors adopted a policy to require that lessees of County-owned property use 100 percent renewably generated electricity if available. It is recommended that the City consider a commensurate action in support of attaining clean energy goals of the CAAP. Rationale: The City has a high level of control over City-owned leases and the presence of the Clean Power Alliance's (CPA) <i>100 Percent Green</i> tier will be a readily available option for lessees.
Clean Energy - Strategy E2. Increase Local Solar Energy Generation Recommend New Measure to Adopt Ordinance Amendments to Streamline and/or Provide Fee Waiver for CAAP Compliant Development	In addition to Key Implementing Actions listed under Strategy E2, it is recommended that actions be taken to include project-level streamlining and/or inducement of projects that are consistent with the City's CAAP such as ordinance amendments to streamline development review and project approval including but not limited to exemption, expedited approval, ministerial approval, and/or fee waivers for specified projects that are compliant with the goals and objectives of the City's CAAP such as installation of rooftop, ground-mounted, and parking lot photovoltaics; installation of electric vehicle charging stations and related on-site improvements; and other projects as determined appropriate. Rationale: Streamlining and/or fee waivers for specific projects that comply with the goals of the City's CAAP will accelerate community GHG reductions and may lower administrative burdens for projects that are consistent with the City's CAAP and other land use planning documents.

#41

#42

Recommendation	Comments on Recommendation
	This recommendation aligns with California legislation including Assembly Bill (AB) 2188, AB 1236, and AB 970. - AB 2188 (2014) requires local governments in California to adopt a solar ordinance by September 30, 2015, creating a streamlined permitting process that conforms to best practices for expeditious and efficient permitting of small residential rooftop solar systems. - AB 1236 (2015) and AB970 (2021) require cities and counties to adopt streamlined permitting procedures for electric vehicle charging stations, including a streamlining ordinance and checklist. Therefore, such an action would support CAAP goal attainment and compliance with existing statewide regulations.
Transportation – Strategy T1. Expand Zero-Emissions-Vehicle (ZEV) Charging and Fueling Infrastructure Recommend New Measure to Adopt Ordinance Amendments to Streamline and/or Provide Fee Waiver for CAAP Compliant Development	In addition to the Key Implementing Actions listed under strategy T1, it is recommended that actions be taken to include project-level streamlining and/or inducement of projects that are consistent with the City's CAAP such as ordinance amendments to streamline development review and project approval including but not limited to exemption, expedited approval, ministerial approval, and/or fee waivers for specified projects that are compliant with the goals and objectives of the City's CAAP such as installation of rooftop, ground-mounted, and parking lot photovoltaics; installation of electric vehicle charging stations and related on-site improvements; and other projects as determined appropriate. Rationale: Streamlining and/or fee waivers for specific projects that comply with the goals of the City's CAAP will accelerate community GHG reductions and may lower administrative burdens for projects that are consistent with the City's CAAP and other land use planning documents. This recommendation aligns with California legislation including Assembly Bill (AB) 2188, AB 1236, and AB 970. - AB 2188 (2014) requires local governments in California to adopt a solar ordinance by September 30, 2015, creating a streamlined permitting process that conforms to best practices for expeditious and efficient permitting of small residential rooftop solar systems. - AB 1236 (2015) and AB970 (2021) require cities and counties to adopt streamlined permitting procedures for electric vehicle charging stations, including a streamlining ordinance and checklist. Therefore, such an action would support CAAP goal attainment and compliance with existing statewide regulations.
Transportation – Strategy T3. Expand Infrastructure for Pedestrians, Bikes, and Micro-Mobility Solutions Coordinate with Regional Partners for Sustainable Transportation Plan Development	In support of Key Implementation Action T3.1, it is recommended that the City coordinate with County of Ventura's Public Works Agency in development of the City's Sustainable Transportation Plan and consider use of the Ventura County Transportation Commission's <i>Bicycle Wayfinding Plan</i> in its active transportation planning efforts. Rationale: The County's Public Works Agency is leading the <i>Ventura County Active Transportation Plan</i> project with project completion anticipated in early 2023. Coordination between City and County in active transportation planning efforts will ensure that the plans' tactics align to provide effective active transportation infrastructure that best serves the

#43

#44

#45

#46

Recommendation	Comments on Recommendation
	public on neighborhood, local, and regional levels. Further, the County's General Plan includes policies and programs that direct County staff to participate in implementation of the Ventura County Transportation Commission's <i>Bicycle Wayfinding Plan</i>. Therefore, the County encourages the City participate in implementation of this regional <i>Bicycle Wayfinding Plan</i> as well.
Sea Level Rise Create Measure to Participate in Regional Sea Level Rise Monitoring and Resilience Planning	It is recommended that a new measure be added to the CAAP which encourages the City to participate in regional sea level rise monitoring and resilience planning efforts. Rationale: County agencies are involved in monitoring the projected impacts of climate change and natural disasters in order to make adaptive improvements and upgrades to public facilities and services. Existing efforts such as the City's <i>Vulnerability Assessment (2019)</i>, <i>City of Oxnard Sea Level Rise Adaptation Strategy Report (2019)</i>, and the County's <i>VC Resilient Coastal Adaptation Project</i> provide a foundation for future collaboration on coastal adaptation projects.
Implementation and Monitoring Consider Recommended Best Practices to Ensure Robust Implementation of the CAAP	Based on the County of Ventura's experience implementing CAP-related portions of the <i>Ventura County 2040 General Plan</i>, the following best practices are recommended to aid the City in robust implementation of its CAAP. • Consider designating a lead agency or department as the Project Manager for overall monitoring, tracking, and reporting of CAAP implementation. • Consider creation an interdepartmental Climate Action & Adaptation Plan Task Force to support the designated Project Manager and assure departmental participation in CAAP implementation. • Consider integration of the CAAP as part of the City's annual budgeting process. Rationale: County staff shares these recommendations, which are currently in use at County of Ventura, to facilitate robust implementation of the City's CAAP. Further, these recommendations seek to ensure that CAAP implementation is not siloed to a single department. Each recommendation is derived from County of Ventura's existing and ongoing processes for implementation of the CAP-related portions of the <i>Ventura County 2040 General Plan</i>. In 2021, the County assigned the County Executive Office's Sustainability Division as the overall Project Manager for CAP implementation, created an interagency "CAP Team" composed of staff from each agency responsible for CAP-related implementation programs, and presented the <i>FY2021-22 Budget and Staffing Plan for Climate Action Plan Implementation</i> to the Ventura County Board of Supervisors as a bridge into the County's annual budgeting process.
Implementation and Monitoring Add County of Ventura Sustainability Division as Potential Partner	It is recommended that <i>Table 5-2. GHG Reduction Strategies and Action – Implementation Details</i> be revised to add "County of Ventura" as a <i>Potential Partner</i> for the following measures: • T3.1, • N1.4, and • Sea Level Rise (SLR).

#46

#47

#48

#49

#50

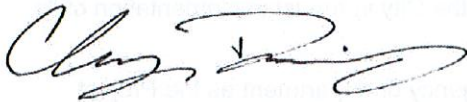
Recommendation	Comments on Recommendation
	Rationale: The <i>Ventura County 2040 General Plan</i> directs County staff to coordinate implementation and maintenance of its CAP with the cities in the county, the Air Pollution Control District, and other organizations to promote countywide collaboration on addressing climate change. Therefore, the County looks forward to working with the City as it works toward implementation of its CAAP in the measures listed in this recommendation as well as other measures where the County is already noted as a potential partner.

#50

As the most populace city in Ventura County, the City of Oxnard has a meaningful role in climate action and adaptation. Our Division applauds the ongoing efforts of the City in its CAAP project and looks forward to collaborating with the City as a partner in the future.

For clarification or assistance with these comments, please contact Clay Downing (Program Administrator) at clay.downing@ventura.org.

Sincerely,



Clay Downing, MPPA
Program Administrator – CAP Programs
County of Ventura | Sustainability Division
800 S. Victoria Ave., Ventura, CA 93009
(805) 654-2187 | clay.downing@ventura.org



Alejandra Téllez, MPPA
Sustainability Officer
County of Ventura | Sustainability Division
800 S. Victoria Ave., Ventura, CA 93009
(805) 654-3835 | alejandra.tellez@ventura.org



**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Kathleen Mallory, City of Oxnard

DATE: June 1, 2022

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division 

SUBJECT: City of Oxnard Climate Action and Adaptation Plan, APCD Public Comment

Air Pollution Control District (APCD) staff has reviewed the draft Climate Action and Adaptation Plan (CAAP) for the City of Oxnard. The CAAP is the City's standalone planning document to reduce greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2030. The CAAP also includes a GHG emissions inventory and presents strategies and actions to achieve its 2030 target year.

APCD has the following comments regarding the City of Oxnard Draft CAAP.

1) *Page 2-5.* Table 2-3 indicates the socioeconomic data was taken from the VCTM and interpolated from 2012 and 2040. However, the text states the City used SCAG's RTP/SCS for its socioeconomic data (DCAAP, Page 1-11). Furthermore, it appears the data from Table 2-3 is from SCAG's 2016 RTP/SCS. We suggest, in addition to confirming where the data is coming from, using the 2020 RTP/SCS otherwise known as SCAG Connect SoCal to obtain up-to-date socioeconomic data. #51

2) *Page 3-16.* Measure B.1.6 would put the energy audit completion date to 2028. This timeline may be too tight to confirm if the energy measures proposed and what has been implemented to-date will achieve the 2030 target, given additional actions needed such as review and presentation to the City Council. We recommend changing the audit to 2025, or less than 5 years from 2022. #52

3) *Page 3-18.* Measure B.2.4. We suggest adding a year to when the feasibility study will be performed. #53

4) *Page 3-21.* Measure T.1.1. We suggest specifying when the ZEV Master Plan will be completed. #54

5) *Page 3.21.* Measure T.1.2. In addition to developing code requirements, it is highly suggested adding a similar measure to the Land Use section for planning decisions to also be updated to align with the 2030 CAAP. This will doubly ensure applicable measures are being attained as new land use development is approved by the City. #55

6) We would like the City to be aware of APCD's Incentives Program as a potential Transportation Measure and for consideration in the City's proposed ZEV Master Plan. The two types of programs, Incentive Programs and Transportation Outreach Program, have a co-benefit in indirectly reducing GHG emissions as older, dirtier equipment and vehicles are traded in for newer engines that have stricter air quality emission standards or as Vehicle Miles Travelled (VMT) are reduced due to an increase in alternative modes of transportation. More information can be found [here](#) on our District Incentive Programs Website Page and [here](#) on the Transportation Outreach Program. Some of our incentive programs include Lower Emission School Bus Program, EV Charging Stations Funding, and Funding Agricultural Replacement Measures for Emission Reductions (FARMER).

#56

7) Page 3-22. Measure T.2.1. We suggest specifying what year the ZEV Master Plan will be completed.

#57

8) Page 3-23. Measure T.2.2. We recommend adding the additional proposed requirement by CARB's Advanced Clean Fleets Regulation for 50% of a city's fleet to be ZEV starting in 2024 (source [here](#)).

#58

9) Page 3-30. We would like to advise the City regarding Program 33 that this must be implemented concurrently with state guidance to not site sensitive land uses within 500 feet of a freeway, unless the toxic impacts are mitigated during environmental review of a project. According to CARB, air pollution studies indicate that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. Many of these epidemiological studies have focused on children. A number of studies identify an association between adverse non-cancer health effects and living or attending school near heavily traveled roadways. These studies have reported associations between residential proximity to high traffic roadways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. According to the CDC, a growing body of evidence demonstrates that minority populations and persons of lower socioeconomic status experience higher residential exposure to traffic and traffic-related air pollution than non-minorities and persons of higher socioeconomic status (CDC, Residential Proximity to Major Highways 2010). In addition to the respiratory health effects in children, proximity to freeways increases potential cancer risk and contributes to total particulate matter exposure. There are three carcinogenic toxic air contaminants that constitute the majority of the known health risk from motor vehicle traffic – diesel particulate matter (diesel PM) from trucks, and benzene and 1,3-butadiene from passenger vehicles. On a typical urban freeway (truck traffic of 10,000-20,000/day), diesel PM represents about 70 percent of the potential cancer risk from the vehicle traffic. Diesel particulate emissions are also of special concern because health studies show an association between particulate matter and premature mortality in those with existing cardiovascular disease.

#59

If the cancer risks exceed the state thresholds, mitigation such as locating air intakes away from the freeway, weather proofing windows, and installing vegetative barriers to buffer air pollutants travelling from the freeway to residents are recommended.

10) *Figure 4-3*. The cooling centers (blue stars) are not visible in the figure. According to the text, there are two cooling centers in the City of Oxnard (DCAAP, Page 4-7).] #60

11) *Page 5-23*. Recommend performing a GHG emissions inventory and potential revision to the 2030 CAAP less than 5 years from 2022 as the CAAP suggests in order to have ample time for review, presentation to City council members and other staff, and readjust plan to meet the 2030 target, such as 2025.] #61

Thank you for the opportunity to comment on the City's Draft CAAP. If you have any questions, you may contact me at nicole@vcapcd.org.

BOARD OFFICERS

Barbara S. Lindemann
President

Christine DeVries
Co-Vice President

Charles Newman
Co-Vice President

Kathy Yeung
Treasurer

David N. Pellow
Secretary

BOARD MEMBERS AT-LARGE

Chandler Buie

Jon Clark

Nadra Ehrman

Carolyn Fitzgerald

Laura Francis

Geoff Green

David Jackson

Elliott MacDougall

Pat McElroy

Ivette Peralta

Peter Schuyler

Sigrid Wright CEO

BOARD MEMBERS EMERITUS

Hal Conklin, in memoriam

Dick Jensen, in memoriam

Marc McGinnes

Paul Relis

Selma Rubin, in memoriam

PRESIDENT'S COUNCIL

Dennis Allen

Diane Boss

Laura Capps

Dave Davis

Katie Davis

Carla Frisk

Karl Hutterer

Ivor John

John Jostes

Bruce Kendall

Kim Kimbell

Maryanne Mott

Mike Noling

Paul Relis

Michel Saint-Sulpice

Leanne Schlinger

John Steed

Elizabeth Wagner

Sally Warner-Arnett

PARTNERSHIP COUNCIL

Karen Brill

Linda Cheresh

Claire Fackler

Kristin Hogue

Cooper Matthieson

Jessica McLernon

Michelle L. Pickett

Wendy Read

Holly Sherwin

Bret A. Stone

Jacob Tell

Sally Terrell

Michelle Weinman

Deborah Williams

June 1st, 2022

City of Oxnard
300 West 3rd St
Oxnard, CA 93030

Re: City of Oxnard's Climate Action and Adaption Draft Plan: Preliminary Public Review

The Community Environmental Council (CEC) is pleased to submit the following comments on the City of Oxnard's Draft Climate Action and Adaptation Plan. Since 1970, CEC has incubated and innovated real life environmental solutions that directly affect the California Central Coast. CEC's mission is to advance rapid and equitable solutions to the climate crisis by building zero carbon communities, promoting nature-based solutions to draw down legacy emissions, and protecting communities against unavoidable climate change impacts.

Some of CEC's work in Ventura County includes developing the Ventura County Electric Vehicle Blueprint with Ventura County Regional Energy Alliance and starting the ElectricDrive805 coalition to make it easier to adopt electric vehicles across the tri-counties with the Air Pollution Control Districts of Ventura, Santa Barbara, and San Luis Obispo counties. CEC has also offered our Solarize Nonprofit and Solarize Ventura County programs and developed Energy Action Plans for the Cities of Ventura, Thousand Oaks, and Moorpark. In partnership with BikeVentura, CEC helped develop an Oxnard Clean Mobility Options Community Transportation Needs Assessment. CEC is also working with the Port of Hueneme to electrify trucks, the Ventura County Workforce Development Board on clean/green jobs and with Limoneira to quantify carbon sequestration in citrus orchards, amongst other projects.

CEC believes that this Climate Action and Adaptation Plan is an important opportunity for the City to display leadership in adopting equitable, bold measures to reduce and mitigate GHG emissions and to build resilience in the City, especially in communities that have been and will be most burdened by climate change. CEC has reviewed the Climate Action Plan as well as the individual corresponding policies. We support strong, ambitious policies and programs that not only mitigate and limit climate change impacts throughout Oxnard but that also protect our most vulnerable frontline communities – those that have been harmed by environmental injustice and who are likely to be hurt first and worst by the impacts of climate change and ensuring that these communities will benefit first and foremost from climate action. "The city ranks in the top 20% of the most environmentally burdened communities in the state, with some parts ranking within the top 10%,

according to the California Environmental Protection Agency.”¹ Given the historical and present context of the City, and future threats of climate change, CEC encourages the City to:

- **Set a more ambitious GHG emission target and stronger greenhouse gas reduction goals such as 50-60% reductions by 2030 and carbon neutrality by 2035.** #62
- **Start action now on near-term strategies of an all-electric ordinance for new construction and an Electric Vehicle Action Plan.**
- **Facilitate stronger resilience and adaptation strategies.**
- **Clearly define Oxnard as an underserved city and identify its environmental justice communities. Oxnard should more clearly define its engagement processes to ensure equitable participation and access for all community members is continued throughout the implementation of policies and programs outlined in the CAAP.**

After examining the projected community vulnerabilities, as outlined in Chapter 4 of the Climate Action and Adaptation Plan, such as but not limited to extreme heat, extreme drought, smoke and air pollution, sea level rise, and extreme storms and stormwater flooding, we urge the City to adopt stronger GHG emissions reduction targets, as well as more aggressive GHG mitigation and climate adaptation and resilience measures. Detailed policy and program specific recommendations follow.

Finally, Attachment A describes a suggested electric vehicle adoption plan informed from the Ventura County Electric Vehicle Ready Blueprint that can help guide policy T1.2, the development a citywide Zero Emission Vehicle (ZEV) Master Plan. Attachment B identifies Bike Ventura and CEC's Oxnard Community Transportation Needs Assessment that can help guide policy T.3, expanding multimodal transportation in Oxnard. Attachment C is CEC's Community Resilience Roundtable report that can offer an example of inclusive planning and priority climate adaptation policies.

CEC suggests the following recommendations and changes to the GHG Reduction Strategies

- **Adopt a more ambitious carbon reduction goal that goes further than the State's mandate in accordance with SB 32. The City has seen a 12% reduction in GHG emissions after taking the biggest step that a City can take for climate action, defaulting at 100% renewables through our Community Choice Energy provider, Clean Power Alliance. With this one decision, it has put the city more than halfway to the 2030 goal. Thus, the City has a unique opportunity to set a more ambitious GHG emissions reductions goal to help reach carbon neutrality at a faster rate. Other regional cities have set more ambitious goals including the City of Santa Barbara and the City of San Luis Obispo, with carbon neutrality goal by 2035. CEC** #63

¹ "Oxnard Residents Are Fighting Slag Heaps, Power Plants and Oil Fields That Mar the Town's Beaches." 2017. Los Angeles Times. July 9, 2017. <https://www.latimes.com/local/lanow/la-me-ln-oxnard-coast-20170605-story.html>.

encourages the City of Oxnard to also adopt a carbon neutrality goal by 2035 and an interim goal of a 50-60% reduction by 2030.

#63

- E.1 Procure Zero Carbon Electricity – The City Council took a large step forward when Council voted for the City of Oxnard to join Clean Power Alliance at the 100% renewable energy default. CEC supports the City's goal to maintain at least 95% participation in CPA's 100% green tier through 2030. CEC also sees a great benefit to the community if all municipal accounts had a near-term goal to switch back and to operate on the green tier. The City municipal accounts were brought down to a lower default tier out of financial necessity. However, CPA has built more reserves and green tier prices are now less expensive than SoCal Edison's base rate. The City should join most of the community in purchasing this low-cost 100% renewable electricity.
- B.2 Electrify Buildings – One CAAP goal is to increase the energy efficiency of existing buildings to reduce GHG emissions through coordination with other agencies such as 3C-REN. CEC agrees the transition of old building stock to higher energy efficiency as a vital step to reduce GHG emissions. CEC also sees the adoption of an all-electric building ordinance as one of the easiest steps a city can take to reduce GHG emissions and reduce our reliance on fossil fuels. There are many health, equity, and affordability benefits to adopting such an ordinance, particularly with the City already committed to 100% renewable electricity. Over 50 other jurisdictions in California have adopted such an ordinance including the Cities of Santa Barbara and Ojai, while the County of Ventura and County of Santa Barbara are developing theirs now. Electrifying new buildings will also help address the community vulnerabilities and concerns that were expressed such as extreme heat and poor air quality. This is because high-efficiency heat pumps also provide cooling, and stopping the combustion of natural gas in a building improves indoor air quality. CEC encourages the City to adopt an all-electric building ordinance as a near-term goal.
- T1.2 Develop a citywide Zero Emission Vehicle (ZEV) Plan – CEC fully supports a ZEV Master Plan for the community, with a special focus on the City fleet. CEC encourages the City to authorize or seek funding for dedicated sustainability staff to help procure different grant opportunities for electric vehicle planning and infrastructure. There are many State funding sources that the City of Oxnard can pursue. In addition, Oxnard has disadvantaged community census tracts and is eligible for many funding opportunities that are geared toward underserved communities, charging deserts, and multilingual outreach and education. CEC has a grant with the Los Angeles Clean Tech Incubator and part of this grant's scope is to help agencies source grant writing resources. CEC is ready to work with the City to build out staff capacity and win new grants.
- T.3 Expand Infrastructure for Pedestrians, Bikes, and Micro-Mobility Solutions – CEC recommends the city to adopt a Vision Zero Plan. Every year hundreds of California residents die in bicycle accidents. These often occur in underserved communities where lack of

#64

#65

#66

#67

infrastructure makes it dangerous for bicyclists.² This cannot be overlooked. Planning to expand infrastructure for pedestrians, bikes, and micro-mobility solutions is an important step forward, but it also needs to put the safety of the community at the forefront of any policy. CEC recommends that the City adopts a Vision Zero Plan. Adopting a Vision Zero Plan is vital to the transition toward safer, multimodal transportation solutions, and CEC may be able to help find funding for active transportation project. BikeVentura, along with CEC as a sub-contractor, was awarded a voucher agreement by the California Air Resources Board (CARB) to conduct a Community Transportation Needs Assessment (CTNA) in the disadvantaged areas of Oxnard (Attachment B). The purpose of the project was to engage with Oxnard residents and hear from the community the barriers to mobility. This also occurred when Oxnard was seeing a dramatic rise in people killed while walking and biking. CEC believes this would be an important resource for the City to refer to as policies are brought forward to increase multimodal transportation solutions.

#67

CEC suggests the following recommendations and changes to the Waste Reduction and Recycling Strategies

- R1.2 – Establish a system to track waste disposal and diversion activities, ideally categorized by both land use (residential, commercial, municipal) and management type (landfilled, recycled, anaerobically digested, composted) -An identified near-term goal the City should take is to establish a tracking system for reporting data to CalRecycle for SB 1383. In doing so, tracking can be expedited and prioritized, and ensure that the City is meeting the record-keeping requirements that are part of SB 1383. In addition, setting up a tracking system in the near-term can help with tracking Oxnard's individual targets for waste reduction and disposal for SB 1383, as well as help with tracking composting.

#68

CEC suggests the following recommendations and changes to the Resilience and Adaptation Strategies

- CP1: Develop a public education campaign to inform community of climate hazards and impacts – CEC strongly supports developing an educational campaign to inform the community of climate hazards and impacts, and encourages the City to prioritize outreach to the city's most vulnerable populations as identified on page 4-2 and those with higher socioeconomic vulnerability as identified in the census tract figure 4-2 on page 4-4. CEC encourages clearer implementation strategies for keeping community voices engaged by making sure that accessibility is at the forefront of these educational campaigns.
- CP4: Expand community resilience services and infrastructure – The City should ensure that the development of new resilience hubs are placed strategically throughout the city with an

#69

#70

²"Is 2022 the Year California Gets Serious about Traffic Violence?" 2022. CalBike. May 12, 2022. [Is 2022 the Year California Gets Serious About Traffic Violence? - CalBike](#)

emphasis on disadvantaged and most vulnerable communities as outlined on pages 4-2 and 4-4 with easier to read maps that display where each resilience hub is located. In addition, an overlooked factor that was not indicated is to ensure that population density is accounted for when deciding placement of these types of infrastructure in order to anticipate capacity restrictions.

#70

- The City should prioritize clearer implementation strategies that include meaningful and accessible involvement of community. CEC has identified a gap between a mechanism for community monitoring, feedback, or input in the evaluation and monitoring process. Despite mentioning a commitment to equity, designated feedback mechanisms from the community have not been noted, nor has an indication of an inclusive planning process that platforms community voice. CEC in 2019 conducted a series of Resilience Roundtables that can offer an example of this type of engagement (Attachment C).
- CEC encourages the City of Oxnard to look at adopting a similar plan as to the City of Oakland. The City of Oakland created a Racial Equity Impact Assessment (REIA) to provide City staff with clear guidelines for maximizing equitable outcomes as they implement each of the 2030 ECAP's 40 Actions that can lead to an equitable community engagement process and ensure that the final plan is an equitable strategy that is likely to help reduce disparities in Oakland. Such an assessment can help steer the City of Oxnard in producing equitable outcomes during the CAAP's 10-year implementation.

#71

#72

CEC recognizes that people who have been marginalized by deeply rooted systems of power, oppression, and inequality will be the most disproportionately burdened by climate change, are more sensitive to negative impacts, and have less access to the resources and institutional support needed to build more resilient communities. These groups traditionally have also had less voice in the decisions that shape our community.

By approaching the CAAP through an equity lens, with well-defined guidelines for advancing equitable outcomes, we can help ensure that our local climate solutions take into consideration the needs and wisdom of all groups in our society. This is the only path forward if we seek to build true community resilience and help mitigate the climate crisis. For these reasons, CEC encourages the City of Oxnard to set a more ambitious GHG emission target and stronger reduction strategies and facilitate stronger resilience and adaptation strategies. Oxnard, as an underserved city, should clearly define its environmental justice communities and seek special State funding that is carved out for Disadvantaged Communities. Oxnard should work during its engagement processes to ensure equitable participation and access for all community members is continued throughout the implementation process.

#73

Sincerely,

Alexis Rizo
Climate Policy Associate

Michael Chiacos
Director of Climate Policy

Attachment A

Electric Vehicle Accelerator Plan for the City of Oxnard

[City of Oxnard EV Accelerator Plan VC EV Ready Blueprint.pdf \(ventura.org\)](#)

In 2019, CEC, the Ventura County Regional Energy Alliance, and EV Alliance worked together to develop an Electric Vehicle Accelerator Plan for the City of Oxnard. This document gives a high-level view of the challenges and opportunities that face Oxnard as it assists the community transition to electric vehicles. The Plan provides a framework for a more in-depth EV Action Plan. CEC recommends the County of San Diego's EV Roadmap³ as a very comprehensive and well written, actionable plan to emulate.

Taken directly from the "Introduction and Context" section of the "Electric Vehicle Accelerator Plan for the City of Oxnard"

In Executive Order B-48-18, Governor Brown established a goal of 5 million Zero Emission Vehicles (ZEVs) on California's roads by 2030. The State also recognizes the many challenges to early EV adoption and has incentives and extensive programs and funding opportunities for all sectors. The State has developed new and innovative programs to surmount barriers to EV adoption. Prepared cities can win much of this first come, first served funding, in addition to supporting their residents in leveraging the multitude of benefits of EVs. It is also worth noting that cities like Oxnard with significant Disadvantaged Communities are eligible for special funding carve-outs through State of California programs. To bring the benefits of EVs to the City of Oxnard, this fleet transition plan addresses two critical nexuses of change:

- **Community Electrification:** Governor Brown set a goal of 5 million ZEVs on the road by 2030. This section explores EV uptake among residents and businesses of Oxnard, and how close the community of Oxnard is to meeting its portion of this goal. We also examine what level of growth and annual uptake in EV purchases will be required to meet this goal. Finally, this section explores what level of charging infrastructure will be required to support expected levels of EV adoption and how the City of Oxnard can support anticipated community demand for charging stations.
- **City of Oxnard Fleet Transition:** The second component of this plan explores opportunities for electrification within the City of Oxnard's fleet. The city has 850 vehicles and equipment and has made initial strides towards electrification with an investment in 38 hybrids and 20 plug-in electric vehicles. The fleet plan explores additional 'quick wins' for electrification, through which the city can take advantage of the cost savings of EVs without deviating from existing vehicle duty cycles. The plan also explores how the city could electrify one eighth of its fleet, in line with California's 2030 goal, given the availability of electric pickup trucks in

³ <https://www.sandiegocounty.gov/content/sdc/sustainability/ev-roadmap.html>

2020. Finally, this section explores what barriers would need to be overcome for 100 percent fleet electrification.⁴

Attachment B

Oxnard Community Transportation Needs Assessment

[Oxnard CMO - Final Report.pdf - Google Drive](#)

Taken directly from the Executive Summary of the “Oxnard Community Transportation Needs Assessment”

In November of 2020, BikeVentura, along with sub-contractor Community Environmental Council (CEC), was awarded a voucher agreement by the California Air Resources Board (CARB) to conduct a Community Transportation Needs Assessment (CTNA) in the disadvantaged areas of Oxnard, California. The purpose of the project was to engage with Oxnard residents and hear from the community about the barriers to mobility that they face. Oxnard was seeing a dramatic rise in people killed while walking or biking, and the CTNA presented an opportunity to do the community engagement needed to fund projects that could make active transportation safer there. The needs assessment also allowed us to expose community members to newer mobility technologies like e-bikes and scooters as well. CEC hopes that this report can be used to supplement the City’s multimodal transportation policies put forward by the CAAP.

The project area comprised six census tracts in the City of Oxnard, with some areas outside the city limits in unincorporated Ventura County, and a total population of 26,914. This included three tracts with historically disadvantaged areas near the city center: La Colonia, Rose Park, and Five Points Northeast. These three neighborhoods are over 90% Latinx/Hispanic and have a large population of unhoused persons that reside there. The multilane, high-speed arterials that make up the borders of the neighborhoods are some of the most dangerous streets in Oxnard for people biking and walking.

BikeVentura and CEC felt a sense of urgency to hear from the Oxnard community about transportation needs as we read about numerous bicycle and pedestrian fatalities in the city, an overwhelming majority of which were in the Latinx/Hispanic population. The goals of this project were:

- To engage with Oxnard residents about barriers to mobility
- To provide incentives to participate that would also increase safety for Oxnard residents: bike lights, bike helmets, and bike repair
- To share our findings and recommendations with City Staff and Gold Coast Transit District

⁴ “Electric Vehicle Accelerator Plan for the City of Oxnard.” Ventura County Regional Energy Alliance, Community Environmental Council, and EV Alliance, July 5, 2019
[City of Oxnard EV Accelerator Plan VC EV Ready Blueprint.pdf \(ventura.org\)](#)

- To expose residents, community leaders, agencies, and City staff to shared mobility options not currently used in Oxnard or Ventura County
- To produce a summary report that will be used by the City, GCTD, and CBOs to apply for grant funding.
- To identify potential solutions to increase access and lower the cost of various modes for the historically underserved communities of Oxnard

BikeVentura and CEC compiled a Transportation Access Data Analysis using data sources provided by technical assistance and conducting a resident survey. The data analysis focused on access to transportation options when no car was available, such as distance to transit stops, bike facilities, and walkability. The survey prioritized asking about current modes used, familiarity with modes not currently used in Oxnard (bikeshare, carshare, scootershare), significant barriers to mobility, where folks were having a hard time going, and the primary language.

The community's answers to these questions would inform the remainder of our engagement. Over 200 survey responses were collected in English, Spanish, and Mixteco. The community engagement portion involved three activities: interviews, a clean mobility options demonstration event, and an online zoom workshop. Language access was prioritized for all community engagement to ensure accessibility. BikeVentura and CEC staff collected feedback at each event and analyzed that along with results from the Transportation Access Data Analysis.

Key Findings

- Mixteco speakers that took our survey find it much more difficult to get to destinations than Spanish or English-speaking populations.
- The built environment presents enormous challenges and safety concerns for active transportation options in Oxnard, and the communities' perceptions of safety for these modes (biking, walking, scooters, etc.) reflects that.
- There is a lack of awareness about certain shared mobility devices or services among the communities of interest.
- The survey results showed that respondents found parks the easiest destination to get to among all the choices.

Recommendations

- Robust education and public awareness campaigns should be carried out in advance of any new mobility project. Language access must be a top priority in conducting these campaigns.
- New options must be very low cost or free for low-to-moderate-income residents.
- New options should not be dependent on smartphones or access to the internet.⁵
- Displacement is a concern, and anyone implementing new mobility options should be mindful that new amenities have the potential to raise property values.

⁵ "Oxnard Community Needs Transportation Assessment" BikeVentura, Community Environmental Council, November 9, 2021 Executive Summary. [Oxnard CMO - Final Report.pdf - Google Drive](#)

- To equitably serve Oxnard residents, successful clean mobility projects must be designed and implemented with the most underserved and vulnerable users in mind.
- To prepare the built environment for new mobility projects, the City of Oxnard must make streets safer, especially its arterial roads.

Attachment C

Community Environmental Council's Resilience Roundtables
[crr-wrapup-matrix-letter-v6.pdf \(squarespace.com\)](#)

Taken directly from the "About the Climate Resilience Roundtables" and "About the Resilience Opportunity Matrix"

Over the course of 15 months, the Community Environmental Council, guided by a steering committee of local climate leaders and community partners, held a series of Climate Resilience Roundtables that examined Santa Barbara County's climate threats and explored ways to protect and strengthen communities in the face of climate change. This report summarizes what we heard, learned, and gathered from all the roundtables on how we can achieve resilience. CEC considers the ideas and priorities that came out of the roundtables to be part of a community collective 'pool of actions' intended for any jurisdiction to pick up and run with. CEC sees this report as one that the City can replicate to ensure community engagement and accessible participation throughout the implementation process of resilience and adaptation policies put forward by the CAAP.

These roundtables were designed as community listening and idea generating sessions organized around the key climate threats to our region: increased wildfire, sea level rise, extreme heat, drought, more intense storms, and decreasing snowpack and water supply. Roundtable participants considered these threats through the lens of public and mental health, social justice, economic impacts, infrastructure vulnerabilities, and natural systems and working lands.

There were over 580 participants in the series who attended one or more of the roundtables. This diverse group of stakeholder participants were from government agencies, community-based organizations, social justice and environmental advocates, grass-roots leaders, elected officials, climate practitioners and frontline workers impacted by climate change.

The first two roundtables were in-person meetings, one in November 2019 focused on wildfire and smoke, and one in March 2020 on sea level rise and flooding. The third and fourth roundtables, held virtually in August and September 2020, explored the intersection of climate related disasters, health, and social and economic inequities that disproportionately impact our most vulnerable community members. Community Solutions to Protect Against Climate Change in March 2021 was the last roundtable of the series and the culmination of 15 months of community conversation and analysis.

A corresponding Resilience Opportunity Matrix was developed for each of the roundtables from the conversations, ideas, and suggestions we gathered and transferred verbatim into the matrices. Collectively these contain over 700 big bold ideas and solutions generated over the course of the roundtable series and are available for anyone to explore. This final report highlights the top ideas, themes and guiding principles that emerged from all these four roundtables.

Stories of Resilience

- Opportunity Matrix - <http://cec.pub/crr-sor>
- Vulnerability, Health & Equity Opportunity Matrix - <http://cec.pub/crr-vhe>
- Sea Level Rise & Flooding Opportunity Matrix - <http://cec.pub/crr-slr>
- Wildfire & Smoke Opportunity Matrix - <http://cec.pub/crr-ws>⁶

⁶ “Community Solutions for Climate Resilience An Equitable Path Forward for Santa Barbara County”, Community Environmental Council, 2021. [crr-wrapup-matrix-letter-v6.pdf \(squarespace.com\)](#)



Ramirez, Rosheil <rosheil.ramirez@oxnard.org>

CAAP Public comments

1 message

Isadora Nogueira <isadora.nogueira@trackingcalifornia.org>

Thu, Jun 2, 2022 at 9:08 AM

To: "OxnardCAAP@oxnard.org" <OxnardCAAP@oxnard.org>, Kathleen <kathleen.mallory@oxnard.org>

Hi,

Apologies for the delay in submitting comments. We are submitting the following comments as part of the "Achieving Resilient Communities Project." We hope to see some revisions to the CAAP to more explicitly include public health and farmworker health as part of adaptation. Read more about our project [here](#).

Climate change is a public health crisis and exacerbates existing health and economic inequities. While the Draft Oxnard Climate Adaptation and Action Plan includes public health considerations and co-benefits throughout, the Ventura County Public Health Department (VCPH) does not appear to have been consulted in the development of the plan or included in proposed implementation strategies. The VCPH is on the frontlines of responding to the health impacts of climate change and must be included as a partner in adaptation and resilience planning. We recommend that VCPH be included in all subsequent planning processes and be integrated into the following implementation strategies:

- Community Preparedness (CP) - VCPH should be included in all CP activities to ensure that public health impacts are elevated and adequately addressed. For example, CP2 - early warning systems - should include messaging related to potential health impacts, strategies to protect health, and public health resources for the community. Additionally, CP4 - community resilience services - should include VCPH to ensure that partners are investing in community resilience hubs and are offering supportive public health resources to those who may be displaced by climate impacts. #74
- Extreme Heat (EH) - VCPH should be involved in the planning and implementation of the extreme heat strategies that relate to protecting the health of vulnerable communities. For example, EH1 - access to cooling centers - VCPH should be included in planning, siting, and ensuring cooling centers are able to provide any necessary public health supports to residents. Additionally, for EH2 - funding for energy improvements in low-income households - VCPH can provide tools and resources to home health nurses, and community health workers to educate residents about low-income energy improvement/weatherization/household climate resilience strategies. #75
- Wildfire Smoke and Air Pollution (AP) - VCPH should be included AP1 - hazard alert and warning systems - to ensure that there is adequate messaging related to potential health impacts, strategies to protect health, and public health resources for the community. #76

More over we would to see a series of interventions specifically targeted at farmworkers including:

- Approximately 13% of workers in Oxnard are farmworkers. Many of whom have low literacy in Spanish or speak only auditory indigenous languages. Access to emergency audio alerts in Spanish, and ideally indigenous languages, will be crucial to protecting this population. #77
- We are particularly concerned about heat in agricultural greenhouses and hoop houses in Oxnard. Humidity and lack of ventilation in these spaces increase estimated feels like temperatures at least 15°F according to workers involved in the Achieving Resilient Communities Project. We would like to see a commitment on the part of the city to work with supervisors to improve working conditions specifically in these settings. #78

- Agricultural complaint reporting by workers in Ventura County is extremely low, yet complaint reporting is crucial to locate “bad actors” who are responsible for heat related illness. Our analysis found only 99 complaints were submitted to the Occupational Health and Safety Administration between 2015 and 2019 and only 35 of these complaints led to inspections. We would like to see the city partner with CBOs to ensure complaint reporting mechanisms are understood, accessible to workers, and utilized as part of adaptation measures.

#79

- While the plan says the city will make sure Cal/OSHA standards are known and “enforced” it is unclear how the city plans to intervene in enforcement. Expansion/clarification of the activities involved in this section is needed.

#80

- Greater transparency and equity around the implementation of the plan is needed. An environmental justice taskforce group with overseeing powers should be chosen to collaborate with local agencies.

#81

Isadora Nogueira

Research Associate

Tracking California

(she/her)

Connect with us: [website](#) : [newsletter](#) : [facebook](#) : [twitter](#)

TRACKING  CALIFORNIA

INFORMING ACTION FOR HEALTHIER COMMUNITIES



Friends of the Santa Clara River

PO Box 7719 Ventura, California 93006
www.fscr.org

(805) 628-2250

May 20, 2022

City of Oxnard
C/o Kathleen Mallory
OxnardCAAP@oxnard.org

RE: Comments on City of Oxnard Climate Action and Adaptation Plan

Friends of the Santa Clara River (FSCR) supports the actions in the CAAP to reduce the impacts of climate change. The river is an important factor in climate change, including flood frequency, droughts, and ecological impacts. The River is a place for solutions, such as restoration for absorption of GHG, a place for safe walking and bicycling, and education on all of these issues. We would be happy to partner with the city in the implementation of these mutual goals.

The climate crisis will cause severe impacts and therefore this plan should be much more aggressive to reduce climate change impacts. The plans should state the current climate change impacts we already see. Opening paragraphs to sections should plainly state the increased incidence of heat waves, wildfire smoke, and droughts that have impacted the health of the community and vulnerable groups. Timely action is critical as we approach the “tipping point” according to the Intergovernmental Panel on Climate Change (IPCC).

In general, more emphasis is needed on disadvantage communities and environmental justice regarding how increase bicycle and pedestrian facilities can help reduce impact. The Santa Clara River Trail as part of a bicycle network is a critical piece to planning.

82

T3: Expand Infrastructure for Pedestrians, Bikes, and Micro- mobility Solutions should be increase to include better bicycle facilities. Oxnard needs connected, safe, active transportation network. The Santa Clara River Bicycle Master Plan should be a priority. Communities that expand bike networks see up to a 150% increase in ridership.

83

W1: Increase Water Conservation and Reuse Actions should specifically include a statement to avoid use of artificial turf. FSCR.org website has detailed information on the perils of artificial turf and watershed friendly alternatives. FSCR would be happy to partner with a city on an education and incentive program to reduce landscape water use that promotes GHG capture and reduction of the urban heat island.

84

We are happy to play a role in the implementation of this plan. Thank you for the opportunity to comment.

Attachment D

CAAP Stakeholder and Community Comment Letters (9 letters/emails) and City Response within matrix

Removed to avoid duplication

Community Outreach Summary

- May 1st to 31st, 2021 - Release of CAAP public survey (available in both English and Spanish) regarding key CAAP questions. The City received 133 survey responses.
- May 3rd to 10th, 2021 - Round 1 Virtual Stakeholder meetings with participants to discuss global climate change concerns, including vulnerable communities, and actions to consider for reducing GHGs in Oxnard. Six stakeholder group meetings were held during this time frame.
- May 17 and 22, 2021 - Virtual Public Workshops (conducted in both English and Spanish, including translation of PowerPoints) were conducted asking a series of questions regarding the CAAP. Approximately 60 members of the public participated during these two public workshops. The purpose of these engagement efforts was to identify the climate change impacts of most concern to the community and to gather ideas about the best ways to reduce GHGs in the community. These engagement efforts helped identify climate impacts of concern in the Community Vulnerability Assessment, and to identify effective CAAP strategies and actions for improving community resilience and reducing GHG emissions.
- January 26th to 27th, 2022 - Round 2 Virtual Stakeholder meetings with between 40 and 50 participants to: (1) Gather input on community vulnerabilities to climate change and potential strategies to address vulnerably; and (2) improve the understanding of community experience with climate change hazards and social vulnerability and equity. Five stakeholder group meetings were held during this time.
- April 26, 2022 - The Draft CAAP was posted on the City's CAAP website, with distribution to the City's CAAP Stakeholder Group. The CAAP was made available to the public for initial review and comment between April 26, 2022 and June 1, 2022. During the 43-day review period, the City received nine (9) comment letters. The comments generally pertained to energy usage/general, transportation, coordination/programming, heat use, energy/electrification, building/energy, resilience/SLR, and CAAP implementation. (see Attachments C and D to the July 7, 2022 Planning Commission staff report in Attachment 5, which include the CAAP stakeholder and community comment letters and the City's response to these comments)
- May 5, 2022 - The City conducted a Virtual Stakeholder Group Meeting Public Workshop where the Draft CAAP was reviewed. Members of the City's CAAP Stakeholder group provided verbal comments on the document along with written comments.
- May 9, 2022 - The City conducted virtual drop in office hours from 4 - 6 p.m. (English and Spanish translation available), where community members were encouraged to "drop by" at any time to receive information and ask questions; no members of the public "dropped by"

despite social media promotion measures and working with the City's stakeholders group to promote the virtual hours.

- May 14, 2022 - Community members participated in a Virtual Public Workshop where the Draft CAAP was presented and participants were able to provide input. English and Spanish translation and interpretation were provided, along with a translated powerpoint. The event was posted on the City's CAAP website, promoted via the City's stakeholder group, and promoted on social media platforms. Approximately five (5) members of the public participated. The City included comments from the May 2022 workshops in the response to comments matrix which is contained in Attachment D in the July 7, 2022 Planning Commission staff report in Attachment 5.



PUBLIC WORKS AND TRANSPORTATION COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.5

DATE: September 27, 2022

TO: Public Works and Transportation Committee

FROM: Michael Wolfe, Public Works Director, (805) 385-8055, michael.wolfe@oxnard.org

SUBJECT: Memorandum of Understanding and Caltrans Cooperative Agreements for the Village Specific Plan (Wagon Wheel) Berm/Flood Protection and U.S.101 Ventura Road Off-Ramp Projects.
(0/5/5)

RECOMMENDATION

That the Public Works and Transportation Committee recommend that the City Council approve and authorize the following:

1. The Mayor to execute a Memorandum of Understanding with Oxnard CRFL Partners, LLC, for Caltrans Right of Way Improvements (Agreement No. A-8497);
2. The Mayor to execute Caltrans Cooperative Agreement 07-5237 for Berm Construction (Agreement No. A-8348); and
3. Adopt a Resolution Authorizing the Mayor to Execute forthcoming Caltrans Cooperative Agreement 07-5238 for U.S. 101 Exit 63A Off-Ramp Construction (Agreement No. A-8349).

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/h52P27EjBaQ>

BACKGROUND

Oxnard CRFL Partners, LLC, (Developer) is the owner of and is developing real property in the City known as The Village Specific Plan (Wagon Wheel), located near the northwestern edge of the City. The development is bounded by Highway 101 to the north; Oxnard Boulevard to the east; the Union Pacific railroad and El Rio drain to the south; and North Ventura Road to the west.

The City and Developer entered into Development Agreement No. A-7122, dated January 27, 2009, First Amendment to Development Agreement, dated July 28, 2015, and Second Amendment to Development Agreement, dated December 1, 2020 and recorded on March 30, 2021.

The City approved Planning and Zoning Permit 19-300-01, pursuant to Resolution No. 15,396, subject to conditions of approval. Condition 117 provides that the Developer shall construct flood protection improvements along the Project's Ventura Road frontage to provide protection from flooding by the Santa Clara River. Condition 193 provides that Developer shall design and re-construct the Highway 101 off-ramp for a right turn only movement in compliance with Caltrans' approval concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road (i.e., Exit 63A Ventura Road).

Both the berm/flood protection and the off-ramp improvements are located in the State right of way.

DISCUSSION

Early in the Developer's process to perform work in the State right of way, the City provided assistance to secure State encroachment permits. However, Caltrans deemed the work as "complex" when the design evolved to include future right of way relinquishment to the City. As a result, Caltrans requires a Cooperative Agreement for each improvement. Since Caltrans does not execute Cooperative Agreements with private developers, the City is identified as the implementing agency, however the City is not responsible for funding these improvements, they are conditioned to the Developer.

Three-party Cooperative Agreements were considered, however Caltrans does not allow that mechanism. Therefore, in order to clarify the Developers role, which is silent in the Cooperative Agreements, the City prepared the Memorandum of Understanding (MOU), A-8497.

In addition to recitals and indemnification clauses, MOU A-8497 covers City responsibilities, some of which include being the signatory for the: freeway maintenance agreement (completed April 6, 2022), right of way certification, utility policy certification, and encroachment permits. The MOU also indicates the City will obtain Caltrans' relinquishment of right of way. Staff will return to Council to obtain approval for the relinquishment, which is anticipated to be located south of the U.S. 101 freeway and beyond the relocated off-ramp termination (exhibit attached).

MOU A-8497 further covers the Developer's responsibilities, some of which include: hazardous material initial site investigation and decision documents; right of way engineering, identification of utility relocation, abandonment, protect-in-place measures, requests for information, reports of investigation, notices to utility owners and utility agreements; drafting encroachment permit applications; compliance with applicable environmental requirements; preparation of the Construction Plans, Specifications & Estimates including coordination with Caltrans' design oversight unit to obtain Caltrans' concurrence with plans; perform bidding, advertising, construction, construction management, and deliverance to the City of final drawings and as-built plans.

The Developer shall refer to the Caltrans Cooperative Agreements and Caltrans policies and guidance when designing and constructing work on the State Highway System. Both Cooperative agreements are nearly identical, except for the description of the scope.

Cooperative Agreement 07-5237/A-8348 covers the berm/flood wall construction, which begins approximately 60' beyond the Ventura Road off-ramp in the landscaped right shoulder of U.S. 101 and extends beyond Wagon Wheel Road into the development. Work includes planted vegetation; installation of fencing, landscaping, and irrigation; and abandonment of existing utilities. This agreement has been approved by Caltrans Headquarters and is attached for signature.

Cooperative Agreement 07-5238/A-8349 covers the Ventura Road Exit 63A off-ramp, which currently includes two traffic signals. Work is expected to include modification of the off-ramp geometry, removal of the first signal, replaced with stop-controlled signage, conversion of existing two-way traffic from the off-ramp to Ventura Road to one-way, and traffic signal and intersection improvements at Ventura Road.

This agreement is pending approval by Caltrans Headquarters. It is anticipated to be the same template as the berm/flood wall agreement, with only the scope changing from berm to off-ramp work. Adopting the Resolution to execute the agreement when it is approved by Caltrans, rather than staff returning to Council, will eliminate delay to obtaining the Caltrans encroachment permit, which is a requirement before construction begins. The Developer's schedule is to begin the berm construction as soon as possible as it is connected to the larger flood control project and civil and building permits for lots 2, 3, and 6.

Upon receipt of the final agreement, the City Attorney will review and if any material or significant changes are identified, staff will return to Council for review and approval. If there are no revisions or they are deemed immaterial by the City Attorney, staff is requesting adoption of the Resolution for the Mayor to execute the finalized agreement. The draft is attached.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

FINANCIAL IMPACT

There are no direct fiscal impacts with the recommended actions.

Prepared by: Debbie O'Leary, Transportation Planner, Tatiana Arnaout, City Engineer

ATTACHMENTS

1. Memorandum of Understanding (A-8497)
2. Caltrans Cooperative Agreement 07-5237 (A-8348)
3. Draft Caltrans Cooperative Agreement 07-5238 (A-8349)
4. Right of Way Exhibit
5. Resolution
6. Presentation

MEMORANDUM OF UNDERSTANDING

CALTRANS RIGHT-OF-WAY IMPROVEMENTS

This Memorandum of Understanding (“MOU”) is entered into effective October 18, 2022, by and between the City of Oxnard, a municipal corporation of the State of California (“City”), and Oxnard CRFL Partners, LLC, a Delaware limited liability company (“Developer”). The City and Developer (individually, “Party,” and collectively, “Parties”) agree that the following Recitals are a substantive part of the MOU, and further agree to the terms and conditions set forth herein:

RECITALS

A. Developer is the owner of and is developing real property located in the City known as The Village Specific Plan (Wagon Wheel), located near the northwestern edge of the City, and bounded by Highway 101 to the north; Oxnard Boulevard to the east; the Union Pacific railroad and El Rio drain to the south; and North Ventura Road to the west (“Project”).

B. The City and Developer entered into a Development Agreement No. A-7122, dated January 27, 2009 and recorded on March 10, 2009 (“DA”), in order to achieve the mutually beneficial development of the Project. The DA was subsequently amended by that certain First Amendment to Development Agreement, dated July 28, 2015 and recorded on August 1, 2015. The DA was amended further by that certain Second Amendment to Development Agreement, dated December 1, 2020 and recorded on March 30, 2021.

C. Pursuant to Resolution No. 15,396, the City approved the Planning and Zoning Permit 19-300-01 (Revision to TTM No. 5745), subject to conditions of approval contained therein. Condition 117 provides that Developer shall construct flood protection improvements along the Project’s Ventura Road frontage to provide protection from flooding by the Santa Clara River. Condition 193 provides that Developer shall design and re-construct the Highway 101 off-ramp for a right turn only movement in compliance with Caltrans’ approval concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road (*i.e.*, Exit 63A Ventura Road).

D. The flood protection improvements and the off-ramp improvements located in the Caltrans’ right-of-way along Highway 101 require two separate encroachment permits issued by Caltrans. In 2018, the City agreed to serve as the permit applicant, for both permits, during the Caltrans encroachment permit process.

E. At Caltrans’ request, the City intends to enter into two Cooperative Agreements with Caltrans for improvements to the State highway system. Agreement 07-5237/A-8348 covers berm/flood wall construction over Caltrans Old Wagon Wheel Road and planted vegetation; installation of fencing, landscaping, and irrigation; and abandonment of existing utilities. Agreement 07-5238/A-8349 covers off-ramp and traffic signal modification at the Old Wagon Wheel Road and Ventura Road. The Cooperative Agreements identify the City as the project

sponsor and implementing agency. However, the City is not responsible for funding these improvements and Developer shall refer to the Caltrans Cooperative Agreements and Caltrans policies and guidance when designing and constructing work on the State Highway System.

F. The Parties intend this MOU to clarify the City's role in implementing the improvements within Caltrans' right-of-way.

NOW THEREFORE, in consideration of the mutual promises set forth in this MOU, the Parties agree as follows:

ROLES AND RESPONSIBILITIES

1. City Responsibilities.

- A. The City will, and has, entered into a freeway maintenance agreement with Caltrans, which will provide maintenance of such improvements permanently or until such time as Caltrans assumes full maintenance responsibilities.
- B. The City will enter into Caltrans Cooperative Agreement – Berm/Floodwall 07-5237/A-8348.
- C. The City will enter into Caltrans Cooperative Agreement – Offramp at Exit 63A 07-5238/A-8349.
- D. The City will be the signatory for the Final Right of Way Certification and the Utility Policy Certification.
- E. The City will provide authorization for Developer to submit Caltrans encroachment permit(s). The City will serve as the permit applicant on such permit(s).
- F. The City will provide comments on 65%, 95%, and 100% Plans, Specifications & Estimates (PS&E).
- G. The City will obtain Caltrans' relinquishment of right-of-way to City.

2. Developer Responsibilities.

- A. The Developer shall provide the Hazardous Material Initial Site Investigation and the Hazardous Material Decision Documents.
- B. With respect to right-of-way engineering, the Developer shall identify utility relocation, abandonment, and protect-in-place measures, and prepare, as applicable, Requests for Information (RFI), Reports of Investigation (ROI), Notices to Owner (NTO), and Utility Agreements.
- C. The Developer shall prepare and submit to Caltrans the encroachment permit applications and attachments. The City will serve as the permit applicant on such permit(s).

- D. The Developer shall comply with applicable CEQA/NEPA environmental requirements.
- E. The Developer shall coordinate with Caltrans' design oversight unit (via QMA process), conduct Project development team meetings, and obtain Caltrans' concurrence with plans.
- F. The Developer shall prepare the Construction Plans, Specifications & Estimates (PS&E).
- G. The Developer shall perform the bidding, advertising, construction, and construction management.
- H. The Developer shall provide the City with the final drawings and as-built plans.
- F. The Developer shall be responsible for funding the improvements, including but not limited to design and construction work on the State Highway System associated with the site.

GENERAL PROVISIONS

- 3. **Further Assurances.** The Parties shall execute all documents and instruments, and take all actions reasonably necessary or appropriate to carry out the purpose and intent of this MOU. The City and Developer shall each use reasonable efforts to cooperate fully with the other with respect to the matters covered by this MOU.
- 4. **Notice.** Any notice, request, demand, or other communication given or required to be given or delivered by this Agreement shall be in writing and shall be deemed given: (a) upon delivery if delivered by e-mail, provided such delivery is evidenced by electronic confirmation of delivery to the noticed party; (b) as of the first business day after delivery to an overnight delivery service; or (c) as of the second business day after mailing by United States mail, postage paid, by certified or registered mail, return receipt requested, correctly addressed to the Parties as follows:

CITY:

City of Oxnard
305 West Third Street, East Wing
Oxnard, CA 93030
Attn: Tatiana Arnaout
Email: Tatiana.arnaout@oxnard.org

DEVELOPER:

Oxnard CRFL Partners, LLC
64 Maxwell
Irvine, CA 92618
Attn: Carl Renezeder
Email: carlr@oakwoodcomm.com

Or, to such other address or person as a Party may designate to the other from time-to-time in the manner set forth herein.

5. **Indemnification.**

5.1. Neither City nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by Developer under or in connection with any work or authority delegated to Developer under this MOU. Developer shall fully defend, indemnify, and hold harmless City, its officers and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury occurring by reason of anything done or omitted to be done by Developer under or in connection with any work or authority delegated to Developer under this MOU.

5.2. Neither Developer nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by City under or in connection with any work or authority delegated to City under this MOU. City shall fully defend, indemnify, and hold harmless Developer, its officers and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury occurring by reason of anything done or omitted to be done by City under or in connection with any work or authority delegated to City under this MOU.

6. **No Third Party Rights; Successors and Assigns.** Nothing in this MOU shall be construed to give any rights or benefits to anyone other than the City and the Developer. This MOU shall inure to the benefit of, and bind, the Parties and their respective heirs, executors, administrators, successors, and assigns.

7. **Entire Agreement.** This MOU represents the entire understanding of the Parties as to those matters contained herein, and supersedes any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. This MOU may be modified by the Parties only by written agreement by the Parties.

8. **Counterparts.** This MOU may be executed in counterparts, a complete set of which shall be deemed to be an original and all of which together shall comprise but a single instrument. Signatures may be given via e-mail transmission and shall be deemed given as of the date of the transmission of this MOU by e-mail to the other party.

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this MOU as of the date set forth above.

CITY OF OXNARD

OXNARD CRFL PARTNERS, LLC

By _____
Signature

By _____
Signature

Name

Name

Title

Title

COOPERATIVE AGREEMENT COVER SHEET

Work Description

BERM CONSTRUCTION OVER CALTRANS OLD WAGON WHEEL ROAD AND PLANTED VEGETATION; INSTALLATION OF FENCING, LANDSCAPING, AND IRRIGATION; ABANDONMENT/DISPOSAL OF EXISTING UTILITIES; AND PROTECTION OF EXISTING AT&T LINES

Contact Information

CALTRANS

Dan Tran, Project Manager
100 South Main Street
Los Angeles, CA 90012
Office Phone: (213) 760-6818
Mobile Phone: (213)760-7149
Email: dan.tran@dot.ca.gov

CITY OF OXNARD

Tatiana Arnaout, City Engineer
305 West 3rd Street
Oxnard, CA 93030
Office Phone: (805) 385-8341
Email: tatianaa.arnaout@oxnard.org

Table of Contents

COOPERATIVE AGREEMENT	1
RECITALS	1
RESPONSIBILITIES	3
Sponsorship	3
Implementing Agency	3
Funding	4
CALTRANS' Quality Management	4
CEQA Lead Agency	5
Environmental Permits, Approvals and Agreements	5
Project Approval and Environmental Document (PA&ED)	6
California Environmental Quality Act (CEQA)	6
Plans, Specifications, and Estimate (PS&E)	8
RIGHT-OF-WAY	8
CONSTRUCTION	10
Schedule	14
Additional Provisions	14
Standards	14
Qualifications	14
Consultant Selection	15
Encroachment Permits	15
Protected Resources	15
Disclosures	15
Hazardous Materials	16
Claims	17
Interruption of Work	18
Penalties, Judgements and Settlements	18
Project Files	18
GENERAL CONDITIONS	18
Venue	18
Exemptions	19
Indemnification	19
Non-parties	19
Ambiguity and Performance	20

Defaults	20
Dispute Resolution	20
Prevailing Wage	21
SIGNATURES	22
CLOSURE STATEMENT	3

COOPERATIVE AGREEMENT

This AGREEMENT, executed on and effective from _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Oxnard, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code, Sections 114 and 130.
2. For the purpose of this AGREEMENT, *constructing earthen berm at Old Wagon Wheel Road and planting vegetation; installation of fencing, landscaping, and irrigation; abandonment/disposal of existing utilities; and protection of existing AT&T lines* will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (Design Engineering Evaluation Report).
3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as WORK:
 - PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED)
 - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)
 - RIGHT-OF-WAY
 - CONSTRUCTION

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. No PROJECT deliverables have been completed prior to this AGREEMENT.
6. CITY has expressed its interest in acquiring the Wagon Wheel Road and PARTIES will draft and execute a separate Relinquishment Agreement prior completion of PS&E WORK.
7. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
8. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

9. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

10. CITY is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

11. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

- CITY is the Project Approval and Environmental Document (PA&ED) IMPLEMENTING AGENCY.

PA&ED includes the completion of the Final Environmental Document and the Project Report (documenting the project alternative selection).

- CITY is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

- CITY is the RIGHT OF WAY IMPLEMENTING AGENCY

RIGHT OF WAY includes coordination with utility owners for the protection, removal, or relocation of utilities; the acquisition of right-of-way interests; and post-construction work such as right-of-way monumentation/recordation, relinquishments/vacations, and excess land transactions. The RIGHT OF WAY component budget identifies the capital costs of right-of-way acquisition (RIGHT-OF-WAY CAPITAL) and the cost of the staff work in support of the acquisition (RIGHT-OF-WAY SUPPORT).

- CITY is the CONSTRUCTION IMPLEMENTING AGENCY.

CONSTRUCTION includes construction contract administration, surveying/staking, inspection, quality assurance, and assuring regulatory compliance. The CONSTRUCTION component budget identifies the capital costs of the construction contract/furnished materials (CONSTRUCTION CAPITAL) and the cost of the staff work in support of the construction contract administration (CONSTRUCTION SUPPORT).

12. CITY will provide a Quality Management Plan (QMP) for the WORK in every PROJECT COMPONENT that they are the IMPLEMENTING AGENCY of. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.
13. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

14. The WORK does not use funds administered by CALTRANS. PARTIES will amend this AGREEMENT should this condition change.
15. Each PARTY is responsible for the costs they incur in performing the WORK.

CALTRANS' Quality Management

16. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA), environmental document quality control, and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
17. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that CITY's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

18. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.

19. Per National Environmental Policy Act (NEPA) assignment and California Environmental Quality Act (CEQA) statutes, CALTRANS will perform environmental document quality control and NEPA assignment review procedures for environmental documentation. CALTRANS quality control and quality assurance procedures for all environmental documents are described in the Standard Environmental Reference, NEPA Assignments memorandums, available at <https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser>, <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/nepa-recordretention-policy-final-ally.pdf>. This includes the independent judgement analysis and determination under CEQA that the environmental documentation meets CEQA requirements.
20. CITY will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.
21. CITY, including any employee, agent, consultant or sub-consultant retained by the CITY, shall implement uniform document control policies necessary to retain all records and electronically stored information associated with the WORK, including but not limited to those records identified in California Public Resources Code, Section 21167.6, and including email and attachments, in a manner consistent with the CALTRANS Uniform Filing System and the "Final Caltrans Environmental Records Retention Policy", available at <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/nepa-recordretention-policy-final-ally.pdf>. These records, along with an index of the records, shall be provided to CALTRANS within 60 days of CALTRANS' written request.
22. The cost of CALTRANS' quality management work is to be borne by CALTRANS.

CEQA Lead Agency

23. CALTRANS is the CEQA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

24. CITY will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to CITY's responsibilities in this AGREEMENT.
25. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.

26. It is expected that the PROJECT requires the following environmental permits/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
South Coast Air Quality Management District

Project Approval and Environmental Document (PA&ED)

27. As the PA&ED IMPLEMENTING AGENCY, CITY is responsible for all PA&ED WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
28. CALTRANS will be responsible for completing the following PA&ED activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.10.10.xx Quality Management
175.20 Project Preferred Alternative
180.10.05.05.xx CEQA Lead Final Env. Doc QA/QC and Approval
180.15.10 Notice of Exemption (CEQA)

29. Any PARTY preparing environmental documentation, including studies and reports, will ensure that qualified personnel remain available to help resolve environmental issues and perform any necessary work to ensure that the PROJECT remains in environmental compliance.
30. CITY will provide written notice of the initiation of environmental studies to the CEQA Lead Agency prior to completing any other PA&ED phase work.

California Environmental Quality Act (CEQA)

31. Environmental documentation will be prepared in compliance with the California Public Resources Code §§ 21080.3.1(d)(e). CALTRANS will provide, and CITY will use, a letter template and a list of California Native American tribes requesting notification if necessary. CITY will prepare consultation documentation for CALTRANS' signature and transmittal in compliance with the statutorily required time frames, if necessary.

32. The CEQA Lead Agency will determine the type of CEQA documentation and will cause that documentation to be prepared in accordance with CEQA requirements.
33. Any PARTY involved in the preparation of CEQA documentation will prepare the documentation to meet CEQA requirements and follow the CEQA Lead Agency's standards that apply to the CEQA process.
34. Any PARTY preparing any portion of the CEQA documentation, including any studies and reports, will submit that portion of the documentation to the CEQA Lead Agency for review, comment, and approval at appropriate stages of development prior to public availability.
35. CITY will submit CEQA-related public notices to CALTRANS for review, comment, and approval prior to publication and circulation.
36. CITY will submit all CEQA-related public meeting materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to the public meeting date.

If the CEQA Lead Agency makes any changes to the materials, then the CEQA Lead Agency will allow CITY to review, comment, and concur on those changes at least three (3) working days prior to the public meeting date.

37. The CEQA Lead Agency has final approval authority over all CEQA documentation.
38. The CEQA Lead Agency will attend all CEQA-related public meetings.
39. If a PARTY who is not the CEQA Lead Agency holds a public meeting about the PROJECT, that PARTY must clearly state its role in the PROJECT and the identity of the CEQA Lead Agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the CEQA public review process.

That PARTY will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTY makes any changes to the materials, it will allow the CEQA Lead Agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

The CEQA Lead Agency maintains final editorial control with respect to text or graphics that could lead to public confusion over CEQA-related roles and responsibilities.

Plans, Specifications, and Estimate (PS&E)

40. As the PS&E IMPLEMENTING AGENCY, CITY is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
41. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.15.10.xx Quality Management

42. CITY will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

CITY will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the utility agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.

43. CITY will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

RIGHT-OF-WAY

44. As the RIGHT-OF-WAY IMPLEMENTING AGENCY, CITY is responsible for all RIGHT-OF-WAY WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

45. CALTRANS will be responsible for completing the following RIGHT-OF-WAY activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.25.10.xx Quality Management

46. The selection of personnel performing RIGHT-OF-WAY WORK will be in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements.
47. CITY will make all necessary arrangements with utility owners for the timely accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
48. CITY will provide CALTRANS a copy of conflict maps, relocation plans, proposed notices to owner, reports of investigation, and utility agreements (if applicable) for CALTRANS' concurrence prior to issuing the notices to owner and executing the utility agreement. All utility conflicts will be fully addressed prior to Right-of-Way Certification and all arrangements for the protection, relocation, or removal of all conflicting facilities will be completed prior to construction contract award and included in the PROJECT plans, specifications, and estimate.
49. CITY will provide a land surveyor licensed in the State of California to be responsible for surveying and right-of-way engineering. All survey and right-of-way engineering documents will bear the professional seal, certificate number, registration classification, expiration date of certificate, and signature of the responsible surveyor.
50. Acquisition of right-of-way will not occur prior to the approval of the environmental document without written approval from the CEQA Lead Agency.
51. CITY will hear and adopt Resolutions of Necessity when authorized to do so by law or will work with local agencies having jurisdiction and authorized under the law to hear and adopt Resolutions of Necessity.

CITY will conduct and document Condemnation Evaluation Meetings and Condemnation Panel Review Meetings as required in accordance with CALTRANS policy and guidance. CALTRANS will be notified in advance of any Condemnation Evaluation Meetings and Condemnation Panel Review Meetings.

52. If CITY acquires any right-of-way to be incorporated into the State Highway System, CITY will first acquire in its own name.

No right-of-way will be acquired in CALTRANS' name.

Title to the State Highway System right-of-way will ultimately be vested in the State. CALTRANS' acceptance of title will occur after the Right-of-Way Closeout activities are complete.

53. CITY will utilize a public agency currently qualified by CALTRANS or a properly licensed consultant for all RIGHT-OF-WAY activities. A qualified right-of-way agent will administer all right-of-way consultant contracts.

CITY will submit a draft Right-of-Way Certification to CALTRANS six weeks prior to the scheduled Right-of-Way Certification milestone date for review.

54. CITY will submit a final Right-of-Way Certification to CALTRANS for approval prior to the advertising the construction contract. Physical and legal possession of the right-of-way must be completed prior to advertising the construction contract unless PARTIES mutually agree to other arrangements in writing.
55. CALTRANS' acceptance of right-of-way title is subject to review of an Updated Preliminary Title Report provided by CITY verifying that the title is free of all encumbrances and liens. Upon acceptance, CITY will provide CALTRANS with a Policy of Title Insurance in CALTRANS' name.
56. Right-of-way conveyances must be completed prior to WORK completion unless PARTIES mutually agree to other arrangements in writing.

CONSTRUCTION

57. As the CONSTRUCTION IMPLEMENTING AGENCY, CITY is responsible for all CONSTRUCTION WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
58. CALTRANS will be responsible for completing the following CONSTRUCTION SUPPORT activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.20.10.xx Quality Management

59. CALTRANS will not issue an encroachment permit to CITY for construction work until the following conditions are met:
- CALTRANS accepts the final plans, specifications, and estimate
 - CALTRANS accepts the Right-of-Way Certification
 - Any new or amended maintenance agreements required for the WORK are executed.
60. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS Standard Specifications.
61. CITY will advertise, open bids, award, and approve the construction contract in accordance with the California Public Contract Code and the California Labor Code. By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.
62. CALTRANS will not issue an encroachment permit to CITY's construction contractor until CALTRANS accepts:
- The payment and performance bonds
 - The CONSTRUCTION Quality Management Plan
63. The CONSTRUCTION Quality Management Plan (QMP) will describe how construction material verification and workmanship inspections will be performed at manufacturing sources and the PROJECT job-site. The construction material and Source Inspection QMP (SIQMP) are subject to review and approval by the State Materials Engineer.

CITY will provide a resident engineer and CONSTRUCTION SUPPORT staff that are independent of the construction contractor. The Resident Engineer will be a Civil Engineer, licensed in the State of California, who is responsible for construction contract administration activities.

64. CALTRANS will review and concur with:
- Change Orders affecting public safety, public convenience, protected environmental resources, the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual. These Change Orders must receive written concurrence by CALTRANS prior to implementation.
 - The Stormwater Pollution Prevention Plan (SWPPP) or the Water Pollution Control Plan (WPCP).
65. CITY will administer and process all construction contract claims pursuant to the requirements set forth under Public Contract Code, Section 9204. In addition, all public works claims of \$375,000 or less shall be resolved in accordance with Public Contract Code Section 20104, et seq. and other applicable laws.
66. CITY is designated as the Legally Responsible Person pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally Responsible Person as mandated by the Construction General Permit. CITY is required to comply with the CALTRANS MS4 National Pollutant Discharge Elimination System (NPDES) permit for all work within the State Highway System.
67. As the CONSTRUCTION IMPLEMENTING AGENCY, CITY is responsible for maintenance of the State Highway System (SHS) within the PROJECT limits as part of the construction contract until the following conditions are met:
- Any required maintenance agreements are executed for the portions of SHS for which relief of maintenance is to be granted.
 - CALTRANS approves a request from CITY for relief from maintenance of the PROJECT or a portion thereof.
68. Upon WORK completion, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the State Highway System (SHS) within SHS right-of-way as part of WORK become the property of CALTRANS.

CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right-of-way.

71. Within one hundred eighty (180) calendar days following the completion and acceptance of the PROJECT construction contract, CITY will furnish CALTRANS with a complete set of “As-Built” plans and Change Orders, including any changes authorized by CALTRANS, using an approved medium, such as a CD ROM, flash drive, File and in accordance with CALTRANS’ then current CADD User’s Manual (Section 4.3), Plans Preparation Manual, and CALTRANS practice. The plans will have the Resident Engineer’s name, contract number, and construction contract acceptance date printed on each plan sheet, and with the Resident Engineer’s signature only on the title sheet. The As-Built plans will be in Microstation DGN format, version 8.0. In addition, CITY will provide one set of As-Built plans and addenda in TIFF format.

The submittal must also include all CALTRANS requested contract records, and land survey documents. The land survey documents include monument preservation documents and records of surveys prepared to satisfy the requirements of the California Land Surveyors Act (Business and Professions Code, Sections 8700 – 8805). Copies of survey documents and Records of Surveys filed in accordance with Business & Professions Code, Sections 8762 and 8771, will contain the filing information provided by the county in which filed.

Schedule

70. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds, if applicable, and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.

Additional Provisions

Standards

71. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards.

CALTRANS standards include, but are not limited to, the guidance provided in the:

- CADD Users' Manual
- CALTRANS policies and directives
- Plans Preparation Manual
- Project Development Procedures Manual (PDPM)
- Workplan Standards Guide
- Standard Environmental Reference
- Highway Design Manual
- Right of Way Manual
- Construction Manual
- Construction Manual Supplement for Local Agency Resident Engineers
- Local Agency Structure Representative Guidelines

Qualifications

72. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

73. CITY will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

74. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. CITY, their contractors, consultants, agents and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to CITY, their contractors, consultants, and agents at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.
75. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

76. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

77. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.
78. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

79. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

80. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.
81. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CALTRANS, independent of the PROJECT will pay, or cause to be paid, the cost of HM-1 MANAGEMENT related to HM-1 found within the existing State Highway System right-of-way.

82. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way. CITY will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CITY, independent of the PROJECT, will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside of the existing State Highway System right-of-way.

83. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM-2 MANAGEMENT within the PROJECT limits.

CITY and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and CITY each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. CITY will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

84. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

85. CITY may accept, reject, compromise, settle, or litigate claims of any consultants or contractors hired to complete WORK without concurrence from the other PARTY.
86. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
87. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.
88. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
89. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

90. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.
91. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

92. The cost of awards, judgements, fines, interest, penalties, attorney's fees, and/or settlements generated by the WORK are considered WORK costs.
93. The cost of legal challenges to the environmental process or are considered WORK costs.
94. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Project Files

95. CITY will furnish CALTRANS with the Project History Files related to the PROJECT facilities on State Highway System within sixty (60) days following the completion of each PROJECT COMPONENT. CITY will assure that the Project History File is prepared and submitted in compliance with the Project Development Procedures Manual, Chapter 7. All material will be submitted neatly in a three-ring binder and in PDF format.

GENERAL CONDITIONS

96. All portions of this AGREEMENT, including the Recitals Section, are enforceable.

Venue

97. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

98. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

99. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
100. Neither CITY nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

101. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
102. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

103. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

104. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

105. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

106. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of CITY will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

107. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

108. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

SIGNATURES

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Gregory Farr
Acting Deputy District Director,
Program/Project Management

Verification of funds and authority:

Vickie Murphy
District Budget Manager

CITY OF OXNARD

John Zaragoza
Mayor

Attest:

Rose Chaparro
City Clerk

Approved as to form and procedure:

Stephen M. Fischer
City Attorney

CLOSURE STATEMENT INSTRUCTIONS

1. Did PARTIES complete all scope, cost and schedule commitments included in this AGREEMENT and any amendments to this AGREEMENT?

YES / NO
2. Did CALTRANS accept and approve all final deliverables submitted by other PARTIES?

YES / NO
3. Did the CALTRANS HQ Office of Accounting verify that all final accounting for this AGREEMENT and any amendments to this AGREEMENT were completed?

YES / NO
4. If construction is involved, did the CALTRANS District Project Manager verify that all claims and third-party billings (utilities, etc.) have been settled before termination of the AGREEMENT?

YES / NO
5. Did PARTIES complete and transmit the As-Built Plans, Project History File, and all other required contract documents?

YES / NO

If ALL answers are “YES”, this form may be used to TERMINATE this AGREEMENT.

CLOSURE STATEMENT

PARTIES agree that they have completed all scope, cost, and schedule commitments included in Agreement 07-5237 and any amendments to the agreement. The final signature date on this document terminates agreement 07-5237 except survival articles. All survival articles in agreement 07-5237 will remain in effect until expired by law, terminated or modified in writing by the PARTIES' mutual agreement, whichever occurs earlier.

The people signing this agreement have the authority to do so on behalf of their public agencies.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

District Director

Date: _____

CITY OF OXNARD

Title TBD

Date: _____

DRAFT COOPERATIVE AGREEMENT COVER SHEET

Work Description

OFF-RAMP AND TRAFFIC SIGNAL MODIFICATION AT THE OLD WAGON WHEEL ROAD
AND VENTURA ROAD

Contact Information

CALTRANS

Dan Tran, Project Manager
100 South Main Street
Los Angeles, CA 90012
Office Phone: (213) 760-6818
Mobile Phone: (213)760-7149
Email: dan.tran@dot.ca.gov

CITY OF OXNARD

Tatiana Arnaout, City Engineer
305 West 3rd Street
Oxnard, CA 93030
Office Phone: (805) 385-8341
Email: tatianaa.arnaout@oxnard.org

Table of Contents

COOPERATIVE AGREEMENT	1
RECITALS	1
RESPONSIBILITIES	3
Sponsorship	3
Implementing Agency	3
Funding	4
CALTRANS' Quality Management	4
CEQA Lead Agency	5
Environmental Permits, Approvals and Agreements	5
Project Approval and Environmental Document (PA&ED)	6
California Environmental Quality Act (CEQA)	6
Plans, Specifications, and Estimate (PS&E)	8
RIGHT-OF-WAY	8
CONSTRUCTION	10
Schedule	14
Additional Provisions	14
Standards	14
Qualifications	14
Consultant Selection	15
Encroachment Permits	15
Protected Resources	15
Disclosures	15
Hazardous Materials	16
Claims	17
Interruption of Work	18
Penalties, Judgements and Settlements	18
Project Files	18
GENERAL CONDITIONS	18
Venue	18
Exemptions	19
Indemnification	19
Non-parties	19
Ambiguity and Performance	20

Defaults	20
Dispute Resolution	20
Prevailing Wage	21
SIGNATURES	22
CLOSURE STATEMENT	3

COOPERATIVE AGREEMENT

This AGREEMENT, executed on and effective from _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Oxnard, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code, Sections 114 and 130.
2. For the purpose of this AGREEMENT, *constructing earthen berm off-ramp and traffic signal modification at the Old Wagon Wheel Road and Ventura Road* will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (Design Engineering Evaluation Report).
3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as WORK:
 - PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED)
 - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)
 - RIGHT-OF-WAY
 - CONSTRUCTION

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. No PROJECT deliverables have been completed prior to this AGREEMENT.
6. CITY has expressed its interest in acquiring the Wagon Wheel Road and PARTIES will draft and execute a separate Relinquishment Agreement prior completion of PS&E WORK.
7. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
8. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

9. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

10. CITY is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

11. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

- CITY is the Project Approval and Environmental Document (PA&ED) IMPLEMENTING AGENCY.

PA&ED includes the completion of the Final Environmental Document and the Project Report (documenting the project alternative selection).

- CITY is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

- CITY is the RIGHT OF WAY IMPLEMENTING AGENCY

RIGHT OF WAY includes coordination with utility owners for the protection, removal, or relocation of utilities; the acquisition of right-of-way interests; and post-construction work such as right-of-way monumentation/recordation, relinquishments/vacations, and excess land transactions. The RIGHT OF WAY component budget identifies the capital costs of right-of-way acquisition (RIGHT-OF-WAY CAPITAL) and the cost of the staff work in support of the acquisition (RIGHT-OF-WAY SUPPORT).

- CITY is the CONSTRUCTION IMPLEMENTING AGENCY.

CONSTRUCTION includes construction contract administration, surveying/staking, inspection, quality assurance, and assuring regulatory compliance. The CONSTRUCTION component budget identifies the capital costs of the construction contract/furnished materials (CONSTRUCTION CAPITAL) and the cost of the staff work in support of the construction contract administration (CONSTRUCTION SUPPORT).

12. CITY will provide a Quality Management Plan (QMP) for the WORK in every PROJECT COMPONENT that they are the IMPLEMENTING AGENCY of. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.
13. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

14. The WORK does not use funds administered by CALTRANS. PARTIES will amend this AGREEMENT should this condition change.
15. Each PARTY is responsible for the costs they incur in performing the WORK.

CALTRANS' Quality Management

16. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA), environmental document quality control, and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
17. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that CITY's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

18. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.

19. Per National Environmental Policy Act (NEPA) assignment and California Environmental Quality Act (CEQA) statutes, CALTRANS will perform environmental document quality control and NEPA assignment review procedures for environmental documentation. CALTRANS quality control and quality assurance procedures for all environmental documents are described in the Standard Environmental Reference, NEPA Assignments memorandums, available at <https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser>, <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/nepa-recordretention-policy-final-ally.pdf>. This includes the independent judgement analysis and determination under CEQA that the environmental documentation meets CEQA requirements.
20. CITY will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.
21. CITY, including any employee, agent, consultant or sub-consultant retained by the CITY, shall implement uniform document control policies necessary to retain all records and electronically stored information associated with the WORK, including but not limited to those records identified in California Public Resources Code, Section 21167.6, and including email and attachments, in a manner consistent with the CALTRANS Uniform Filing System and the "Final Caltrans Environmental Records Retention Policy", available at <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/nepa-recordretention-policy-final-ally.pdf>. These records, along with an index of the records, shall be provided to CALTRANS within 60 days of CALTRANS' written request.
22. The cost of CALTRANS' quality management work is to be borne by CALTRANS.

CEQA Lead Agency

23. CALTRANS is the CEQA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

24. CITY will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to CITY's responsibilities in this AGREEMENT.
25. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.

26. It is expected that the PROJECT requires the following environmental permits/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
South Coast Air Quality Management District

Project Approval and Environmental Document (PA&ED)

27. As the PA&ED IMPLEMENTING AGENCY, CITY is responsible for all PA&ED WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
28. CALTRANS will be responsible for completing the following PA&ED activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.10.10.xx Quality Management
175.20 Project Preferred Alternative
180.10.05.05.xx CEQA Lead Final Env. Doc QA/QC and Approval
180.15.10 Notice of Exemption (CEQA)

29. Any PARTY preparing environmental documentation, including studies and reports, will ensure that qualified personnel remain available to help resolve environmental issues and perform any necessary work to ensure that the PROJECT remains in environmental compliance.
30. CITY will provide written notice of the initiation of environmental studies to the CEQA Lead Agency prior to completing any other PA&ED phase work.

California Environmental Quality Act (CEQA)

31. Environmental documentation will be prepared in compliance with the California Public Resources Code §§ 21080.3.1(d)(e). CALTRANS will provide, and CITY will use, a letter template and a list of California Native American tribes requesting notification if necessary. CITY will prepare consultation documentation for CALTRANS' signature and transmittal in compliance with the statutorily required time frames, if necessary.

32. The CEQA Lead Agency will determine the type of CEQA documentation and will cause that documentation to be prepared in accordance with CEQA requirements.
33. Any PARTY involved in the preparation of CEQA documentation will prepare the documentation to meet CEQA requirements and follow the CEQA Lead Agency's standards that apply to the CEQA process.
34. Any PARTY preparing any portion of the CEQA documentation, including any studies and reports, will submit that portion of the documentation to the CEQA Lead Agency for review, comment, and approval at appropriate stages of development prior to public availability.
35. CITY will submit CEQA-related public notices to CALTRANS for review, comment, and approval prior to publication and circulation.
36. CITY will submit all CEQA-related public meeting materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to the public meeting date.

If the CEQA Lead Agency makes any changes to the materials, then the CEQA Lead Agency will allow CITY to review, comment, and concur on those changes at least three (3) working days prior to the public meeting date.

37. The CEQA Lead Agency has final approval authority over all CEQA documentation.
38. The CEQA Lead Agency will attend all CEQA-related public meetings.
39. If a PARTY who is not the CEQA Lead Agency holds a public meeting about the PROJECT, that PARTY must clearly state its role in the PROJECT and the identity of the CEQA Lead Agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the CEQA public review process.

That PARTY will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTY makes any changes to the materials, it will allow the CEQA Lead Agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

The CEQA Lead Agency maintains final editorial control with respect to text or graphics that could lead to public confusion over CEQA-related roles and responsibilities.

Plans, Specifications, and Estimate (PS&E)

40. As the PS&E IMPLEMENTING AGENCY, CITY is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
41. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.15.10.xx Quality Management

42. CITY will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

CITY will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the utility agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.

43. CITY will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

RIGHT-OF-WAY

44. As the RIGHT-OF-WAY IMPLEMENTING AGENCY, CITY is responsible for all RIGHT-OF-WAY WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

45. CALTRANS will be responsible for completing the following RIGHT-OF-WAY activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.25.10.xx Quality Management

46. The selection of personnel performing RIGHT-OF-WAY WORK will be in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements.
47. CITY will make all necessary arrangements with utility owners for the timely accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
48. CITY will provide CALTRANS a copy of conflict maps, relocation plans, proposed notices to owner, reports of investigation, and utility agreements (if applicable) for CALTRANS' concurrence prior to issuing the notices to owner and executing the utility agreement. All utility conflicts will be fully addressed prior to Right-of-Way Certification and all arrangements for the protection, relocation, or removal of all conflicting facilities will be completed prior to construction contract award and included in the PROJECT plans, specifications, and estimate.
49. CITY will provide a land surveyor licensed in the State of California to be responsible for surveying and right-of-way engineering. All survey and right-of-way engineering documents will bear the professional seal, certificate number, registration classification, expiration date of certificate, and signature of the responsible surveyor.
50. Acquisition of right-of-way will not occur prior to the approval of the environmental document without written approval from the CEQA Lead Agency.
51. CITY will hear and adopt Resolutions of Necessity when authorized to do so by law or will work with local agencies having jurisdiction and authorized under the law to hear and adopt Resolutions of Necessity.

CITY will conduct and document Condemnation Evaluation Meetings and Condemnation Panel Review Meetings as required in accordance with CALTRANS policy and guidance. CALTRANS will be notified in advance of any Condemnation Evaluation Meetings and Condemnation Panel Review Meetings.

52. If CITY acquires any right-of-way to be incorporated into the State Highway System, CITY will first acquire in its own name.

No right-of-way will be acquired in CALTRANS' name.

Title to the State Highway System right-of-way will ultimately be vested in the State. CALTRANS' acceptance of title will occur after the Right-of-Way Closeout activities are complete.

53. CITY will utilize a public agency currently qualified by CALTRANS or a properly licensed consultant for all RIGHT-OF-WAY activities. A qualified right-of-way agent will administer all right-of-way consultant contracts.

CITY will submit a draft Right-of-Way Certification to CALTRANS six weeks prior to the scheduled Right-of-Way Certification milestone date for review.

54. CITY will submit a final Right-of-Way Certification to CALTRANS for approval prior to the advertising the construction contract. Physical and legal possession of the right-of-way must be completed prior to advertising the construction contract unless PARTIES mutually agree to other arrangements in writing.
55. CALTRANS' acceptance of right-of-way title is subject to review of an Updated Preliminary Title Report provided by CITY verifying that the title is free of all encumbrances and liens. Upon acceptance, CITY will provide CALTRANS with a Policy of Title Insurance in CALTRANS' name.
56. Right-of-way conveyances must be completed prior to WORK completion unless PARTIES mutually agree to other arrangements in writing.

CONSTRUCTION

57. As the CONSTRUCTION IMPLEMENTING AGENCY, CITY is responsible for all CONSTRUCTION WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
58. CALTRANS will be responsible for completing the following CONSTRUCTION SUPPORT activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.20.10.xx Quality Management

59. CALTRANS will not issue an encroachment permit to CITY for construction work until the following conditions are met:
- CALTRANS accepts the final plans, specifications, and estimate
 - CALTRANS accepts the Right-of-Way Certification
 - Any new or amended maintenance agreements required for the WORK are executed.
60. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee, and CALTRANS as additional obligee, and to carry liability insurance in accordance with CALTRANS Standard Specifications.
61. CITY will advertise, open bids, award, and approve the construction contract in accordance with the California Public Contract Code and the California Labor Code. By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.
62. CALTRANS will not issue an encroachment permit to CITY's construction contractor until CALTRANS accepts:
- The payment and performance bonds
 - The CONSTRUCTION Quality Management Plan
63. The CONSTRUCTION Quality Management Plan (QMP) will describe how construction material verification and workmanship inspections will be performed at manufacturing sources and the PROJECT job-site. The construction material and Source Inspection QMP (SIQMP) are subject to review and approval by the State Materials Engineer.

CITY will provide a resident engineer and CONSTRUCTION SUPPORT staff that are independent of the construction contractor. The Resident Engineer will be a Civil Engineer, licensed in the State of California, who is responsible for construction contract administration activities.

64. CALTRANS will review and concur with:

- Change Orders affecting public safety, public convenience, protected environmental resources, the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS Construction Manual. These Change Orders must receive written concurrence by CALTRANS prior to implementation.
- The Stormwater Pollution Prevention Plan (SWPPP) or the Water Pollution Control Plan (WPCP).

65. CITY will administer and process all construction contract claims pursuant to the requirements set forth under Public Contract Code, Section 9204. In addition, all public works claims of \$375,000 or less shall be resolved in accordance with Public Contract Code Section 20104, et seq. and other applicable laws.

66. CITY is designated as the Legally Responsible Person pursuant to the Construction General Permit, State Water Resources Control Board (SWRCB) Order Number 2009-0009-DWQ, as defined in Appendix 5, Glossary, and assumes all roles and responsibilities assigned to the Legally Responsible Person as mandated by the Construction General Permit. CITY is required to comply with the CALTRANS MS4 National Pollutant Discharge Elimination System (NPDES) permit for all work within the State Highway System.

67. As the CONSTRUCTION IMPLEMENTING AGENCY, CITY is responsible for maintenance of the State Highway System (SHS) within the PROJECT limits as part of the construction contract until the following conditions are met:

- Any required maintenance agreements are executed for the portions of SHS for which relief of maintenance is to be granted.
- CALTRANS approves a request from CITY for relief from maintenance of the PROJECT or a portion thereof.

68. Upon WORK completion, ownership or title to all materials and equipment constructed or installed for the operations and/or maintenance of the State Highway System (SHS) within SHS right-of-way as part of WORK become the property of CALTRANS.

CALTRANS will not accept ownership or title to any materials or equipment constructed or installed outside SHS right-of-way.

71. Within one hundred eighty (180) calendar days following the completion and acceptance of the PROJECT construction contract, CITY will furnish CALTRANS with a complete set of “As-Built” plans and Change Orders, including any changes authorized by CALTRANS, using an approved medium, such as a CD ROM, flash drive, Filr and in accordance with CALTRANS’ then current CADD User’s Manual (Section 4.3), Plans Preparation Manual, and CALTRANS practice. The plans will have the Resident Engineer’s name, contract number, and construction contract acceptance date printed on each plan sheet, and with the Resident Engineer’s signature only on the title sheet. The As-Built plans will be in Microstation DGN format, version 8.0. In addition, CITY will provide one set of As-Built plans and addenda in TIFF format.

The submittal must also include all CALTRANS requested contract records, and land survey documents. The land survey documents include monument preservation documents and records of surveys prepared to satisfy the requirements of the California Land Surveyors Act (Business and Professions Code, Sections 8700 – 8805). Copies of survey documents and Records of Surveys filed in accordance with Business & Professions Code, Sections 8762 and 8771, will contain the filing information provided by the county in which filed.

Schedule

70. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds, if applicable, and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.

Additional Provisions

Standards

71. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards.

CALTRANS standards include, but are not limited to, the guidance provided in the:

- CADD Users' Manual
- CALTRANS policies and directives
- Plans Preparation Manual
- Project Development Procedures Manual (PDPM)
- Workplan Standards Guide
- Standard Environmental Reference
- Highway Design Manual
- Right of Way Manual
- Construction Manual
- Construction Manual Supplement for Local Agency Resident Engineers
- Local Agency Structure Representative Guidelines

Qualifications

72. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

73. CITY will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

74. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. CITY, their contractors, consultants, agents and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to CITY, their contractors, consultants, and agents at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.
75. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

76. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

77. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.
- PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.
78. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

79. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

80. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.
81. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CALTRANS, independent of the PROJECT will pay, or cause to be paid, the cost of HM-1 MANAGEMENT related to HM-1 found within the existing State Highway System right-of-way.

82. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way. CITY will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CITY, independent of the PROJECT, will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside of the existing State Highway System right-of-way.

83. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM-2 MANAGEMENT within the PROJECT limits.

CITY and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and CITY each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. CITY will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

84. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

85. CITY may accept, reject, compromise, settle, or litigate claims of any consultants or contractors hired to complete WORK without concurrence from the other PARTY.
86. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
87. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.
88. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
89. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

90. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.
91. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

92. The cost of awards, judgements, fines, interest, penalties, attorney's fees, and/or settlements generated by the WORK are considered WORK costs.
93. The cost of legal challenges to the environmental process or are considered WORK costs.
94. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Project Files

95. CITY will furnish CALTRANS with the Project History Files related to the PROJECT facilities on State Highway System within sixty (60) days following the completion of each PROJECT COMPONENT. CITY will assure that the Project History File is prepared and submitted in compliance with the Project Development Procedures Manual, Chapter 7. All material will be submitted neatly in a three-ring binder and in PDF format.

GENERAL CONDITIONS

96. All portions of this AGREEMENT, including the Recitals Section, are enforceable.

Venue

97. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

98. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

99. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
100. Neither CITY nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

101. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
102. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

103. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

104. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

105. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

106. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of CITY will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

107. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

108. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

SIGNATURES

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Gregory Farr
Acting Deputy District Director,
Program/Project Management

Verification of funds and authority:

Vickie Murphy
District Budget Manager

CITY OF OXNARD

John Zaragoza
Mayor

Attest:
Rose Chaparro
City Clerk

Approved as to form and procedure:

Stephen M. Fischer
City Attorney

CLOSURE STATEMENT INSTRUCTIONS

1. Did PARTIES complete all scope, cost and schedule commitments included in this AGREEMENT and any amendments to this AGREEMENT?

YES / NO
2. Did CALTRANS accept and approve all final deliverables submitted by other PARTIES?

YES / NO
3. Did the CALTRANS HQ Office of Accounting verify that all final accounting for this AGREEMENT and any amendments to this AGREEMENT were completed?

YES / NO
4. If construction is involved, did the CALTRANS District Project Manager verify that all claims and third-party billings (utilities, etc.) have been settled before termination of the AGREEMENT?

YES / NO
5. Did PARTIES complete and transmit the As-Built Plans, Project History File, and all other required contract documents?

YES / NO

If ALL answers are “YES”, this form may be used to TERMINATE this AGREEMENT.

CLOSURE STATEMENT

PARTIES agree that they have completed all scope, cost, and schedule commitments included in Agreement 07-5237 and any amendments to the agreement. The final signature date on this document terminates agreement 07-5237 except survival articles. All survival articles in agreement 07-5237 will remain in effect until expired by law, terminated or modified in writing by the PARTIES' mutual agreement, whichever occurs earlier.

The people signing this agreement have the authority to do so on behalf of their public agencies.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

District Director

Date: _____

CITY OF OXNARD

Title TBD

Date: _____

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION		DESIGN OVERSIGHT								
		EUGENE LEIBMAN		CALCULATED/ DESIGNED BY	DATE	REVISED BY				
				CHECKED BY		DATE REVISED				

REGISTERED CIVIL ENGINEER	
Date	
PLANS APPROVAL DATE	
The State of California or its offices or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.	

MetroPoint Engineers
17520 Newhope Street, Suite 140
Fountain Valley, CA 92708
(714) 438-1095

US-101 FWY

W3-1 "STOP AHEAD"

ES ETW

SB OFF-RAMP
S 63° 07' 35" E

"A" LINE

R116'

ETW

R76'

26'

4'

Prop CITY Maint AGREEMENT AREA

Prop STATE R/W RELINQUISHMENT AREA

Exist City/STATE R/W

R1-1 "STOP"

Conc Pvmnt

R1-1 "STOP"

Prop STATE R/W

EXIST CITY/STATE R/W

Prop BERM

Prop FLOOD WALL

Exist ES/CF

Prop STATE R/W

Exist ES/CF

Prop STATE R/W RELINQUISHMENT AREA

ES

ETW

"A" LINE

N 61° 39' 23" W

Exist Conc DI PROTECT IN-PLACE

ES/CF

Rem Exist Conc Dwy & SW

CITY R/W

Exist STATE R/W

CITY R/W

Exist STATE R/W

CITY R/W

Ventura Road

LEGEND

ROADWAY RELINQUISHMENT TO CITY

CALTRANS/CITY MAINTENANCE AGREEMENT AREA

US-101 / WAGON WHEEL ROAD OFF-RAMP
RIGHT-OF-WAY EXHIBIT (ALT-2)

 ROADWAY RELINQUISHMENT TO CITY
 CALTRANS/CITY MAINTENANCE AGREEMENT AREA

SCALE: 1" = 20'
12/31/20

0 10 20 40

CU	EA 335101	289
----	-----------	-----

CITY COUNCIL OF THE CITY OF

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE FORTHCOMING CALTRANS
COOPERATIVE AGREEMENT 07-5238 FOR U.S. 101 EXIT 63A OFF-RAMP CONSTRUCTION
(AGREEMENT NO. A-8349)**

WHEREAS, Oxnard CRFL Partners, LLC, (Developer) is the owner of and is developing real property in the City known as The Village Specific Plan (Wagon Wheel); and

WHEREAS, The City and Developer entered into Development Agreement No. A-7122, dated January 27, 2009, First Amendment to Development Agreement, dated July 28, 2015, and Second Amendment to Development Agreement, dated December 1, 2020 and recorded on March 30, 2021; and

WHEREAS, The City approved Planning and Zoning Permit 19-300-01, pursuant to Resolution No. 15,396, subject to conditions of approval including Condition 193 that Developer shall design and re-construct the Highway 101 off-ramp for a right turn only movement in compliance with Caltrans' approval concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road (i.e., Exit 63A Ventura Road); and

WHEREAS, Caltrans requires a Cooperative Agreement for this improvement; and

WHEREAS, the Draft Cooperative Agreement 07-5238/A-8349 for the U.S. 101 Ventura Road Exit 63A is pending Caltrans Headquarters approval, and upon receipt of the final agreement, the City Attorney will determine if there are no revisions or that any such revision is deemed immaterial, Mayor or his designee may execute the finalized agreement.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Oxnard, as follows:

1. The foregoing recitals are true and correct and are incorporated by reference as though fully set forth herein to this resolution.
3. The City Council authorizes the Mayor or his designee to execute Caltrans Cooperative Agreement 07-5238/A-8349

Resolution No.

Page No. 2

PASSED AND ADOPTED this ____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN

John C. Zaragoza, Mayor

ATTEST:

Rose Chaparro, City Clerk

APPROVED AS TO FORM:

Stephen Fischer, City Attorney

Memorandum of Understanding and Caltrans Cooperative Agreements for the Village Specific Plan (Wagon Wheel) Berm/Flood Protection and U.S. 101 Ventura Road Off-Ramp Projects

Public Works and Transportation Committee
September 27, 2022

Tatiana Arnaout
City Engineer

That the Public Works and Transportation Committee recommend that the City Council approve and authorize the following:

1. The Mayor to execute a Memorandum of Understanding with Oxnard CRFL Partners, LLC, for Caltrans Right of Way Improvements (Agreement No.A-8497);
2. The Mayor to execute Caltrans Cooperative Agreement 07-5237 for Berm Construction (Agreement No.A-8348); and
3. Adopt a Resolution Authorizing the Mayor to Execute forthcoming [Draft] Caltrans Cooperative Agreement 07-5238 for U.S. 101 Exit 63A Off-Ramp Construction (Agreement No. A-8349).

Oxnard CRFL Partners, LLC, (Developer) is the owner of and is developing real property in the City known as The Village Specific Plan (Wagon Wheel).

The City and Developer entered into Development Agreement No.A-7122 in 2009, which was later amended in 2015 and 2020.

The City approved Planning and Zoning Permit 19-300-01, pursuant to Resolution No. 15,396, subject to conditions of approval.

Condition 117 directs the Developer to construct flood protection improvements along the Project's Ventura Road frontage to provide protection from flooding by the Santa Clara River.

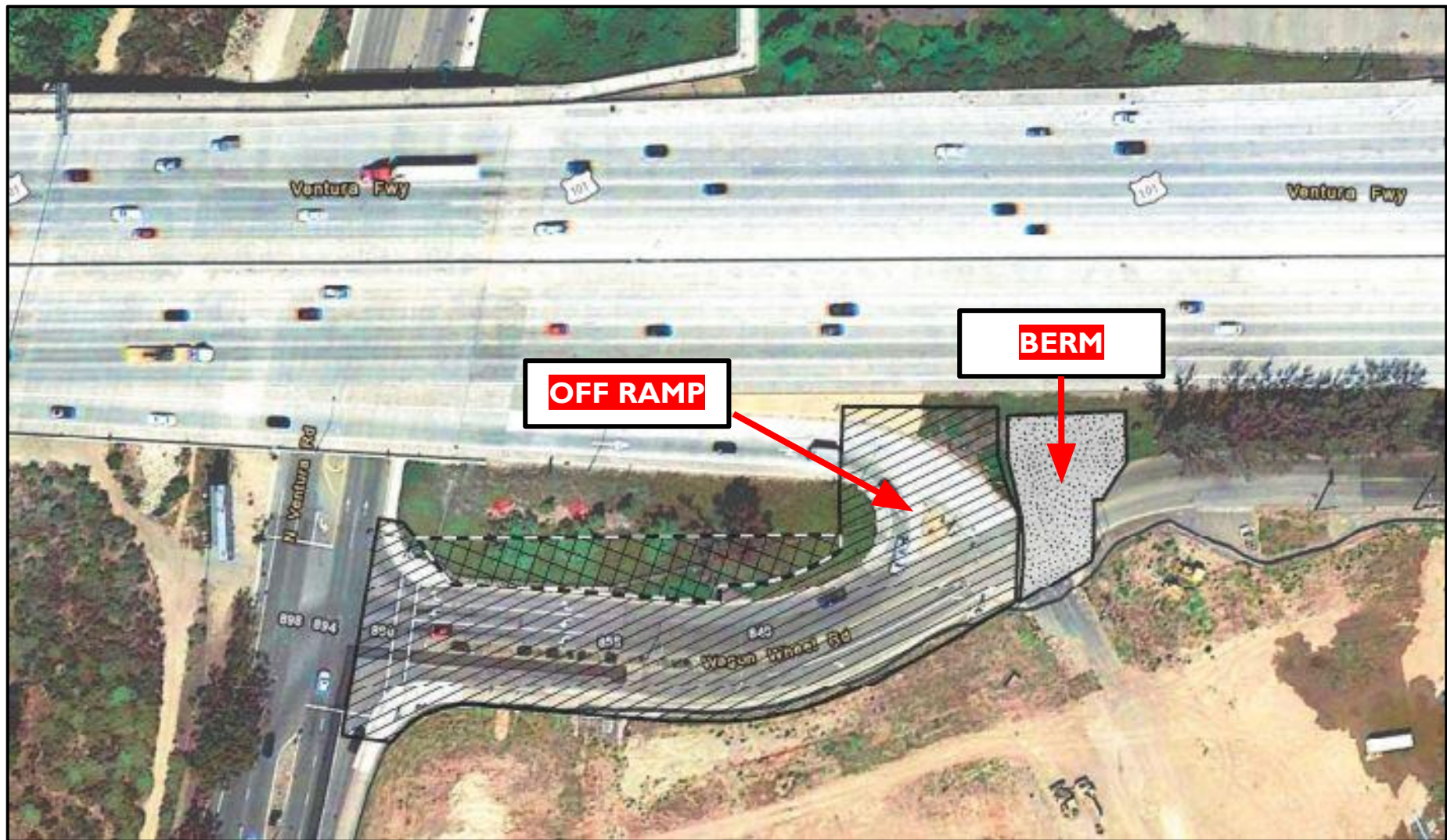
This improvement is located in State right of way.



Condition 193 directs the Developer to design and re-construct the U.S. 101 off-ramp at Ventura Road Exit 63A.

This improvement is located in State right of way.





The City is providing assistance to the Developer to secure Caltrans encroachment permits.

Through this process, Caltrans deemed the work as “complex,” and is requiring a Cooperative Agreement for each improvement.

Caltrans does not execute Cooperative Agreements with private developers, therefore the City is recognized as the implementing agency.

In order to define the Developers role, which is silent in the Cooperative Agreements, the City prepared a Memorandum of Understanding (MOU), A-8497.

MOU A-8497 City responsibilities:

- Freeway maintenance agreement (completed April 6, 2022)
- Signatory for the Right of Way Certification, Utility Policy Certification, and Encroachment Permits
- Accept future Caltrans relinquished right of way*

*Staff will return to Council to obtain approval for the relinquishment, located south of the U.S. 101 freeway and approximately 437' between the new stop-controlled off-ramp and Ventura Road (exhibit attached).

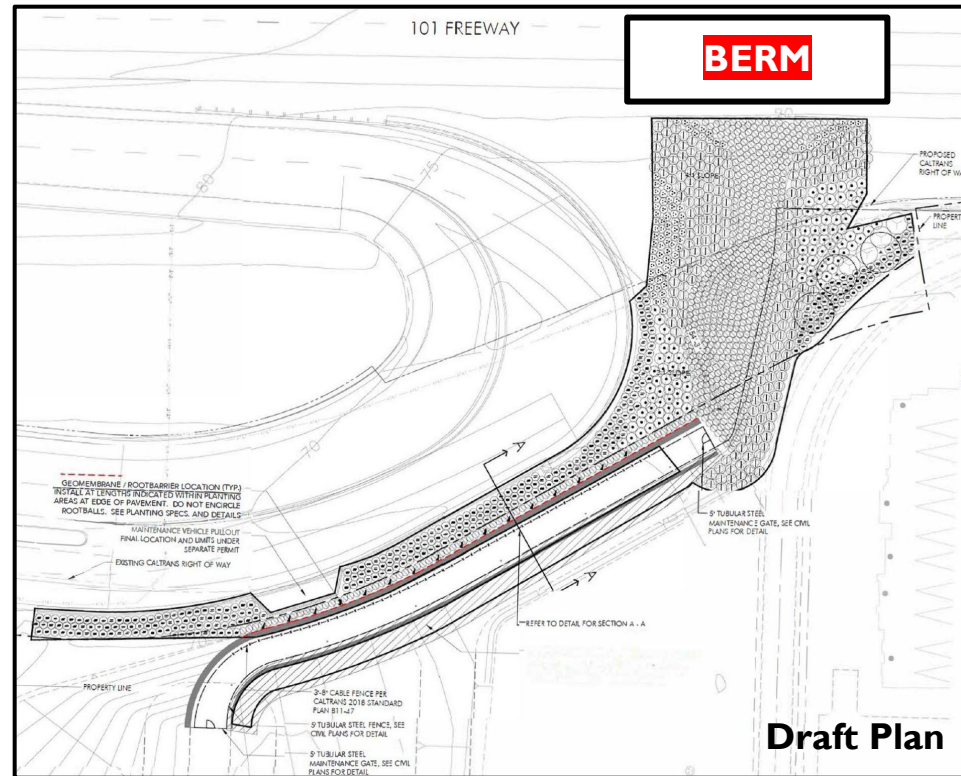
MOU A-8497 Developers responsibilities:

- Funding the projects
- Hazardous material site investigation, decision document
- Right of Way engineering, utility agreements
- Draft encroachment permit applications for City signature
- Compliance with environmental requirements
- Construction Plans, Specifications & Estimates
- Bidding, advertising, construction, construction management
- Final drawings and as-built plans

Cooperative Agreement 07-5237/A-8348 - Berm/Floodwall

Work includes:

- Planted vegetation
- Fencing
- Landscaping
- Irrigation
- Abandonment of existing utilities



This agreement has been approved by Caltrans Headquarters and is attached for signature.

Cooperative Agreement 07-5238/A-8349 - Ventura Exit 63A

Work includes:

- Modify geometry
- Remove traffic signal and replace with stop signs
- Convert two-way traffic from the off-ramp to Ventura Road to one-way
- Traffic signal and intersection modifications at Ventura Road and Wagon Wheel Road



This agreement is pending approval by Caltrans Headquarters.
(draft attached).

There are no direct fiscal impacts with the recommended actions.



QUESTIONS