

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
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Council Chambers, 305 West Third Street
July 23, 2024
Regular Meeting - 6:45 to 8:15 PM

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

1. Dial Phone Number: (888) 475-4499
2. Enter Meeting ID: 823 9693 9069
3. Passcode: 138682

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom call-in steps listed above. Once the presiding officer 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. Press *6 when asked to unmute. Listen to the instructions provided virtually on the phone while on hold in the zoom waiting room. Please note that there is a slight time delay when viewing the meeting via television.

IN ACCORDANCE WITH ASSEMBLY BILL 2449, MEMBERS OF THE LEGISLATIVE BODY MAY MEET IN-PERSON OR 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 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 by 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
 - a. Follow Zoom details listed above.

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 include: (Minutes for Presentation + Council Discussion + Public Comment)

- 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.

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

Consideration of Teleconference Participation pursuant to Assembly Bill 2449.

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 Community Services, Public Safety, Housing & Development Committee approve the minutes of the July 9, 2024 regular meeting as presented.

Contact: Rose Chaparro, (805) 385-7805

D. REPORTS

1. Police Department

SUBJECT: Drone as a First Responder (DFR). (10 minutes)

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee receives and files a report by the Police Department on drone use, and authorizes the Police Department staff to explore the development of a Drone as a First Responder (DFR) Plan for the City of Oxnard.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/WWpBTfceDT4>

Contact: Jason Benites, (805) 385-7624

2. Community Development Department

SUBJECT: Overview of the Clean Power Alliance (CPA) Voluntary Reach Codes Program. (20 minutes)

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

1. Receive and file the information provided in this staff report; and
2. Determine that the City should not participate in the CPA Reach Codes Program.

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

<https://youtu.be/uK3Zfemqv84>

Contact: Jeff Pengilley, (805) 385-8208

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT



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

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

DATE: July 23, 2024

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

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

SUBJECT: Approval of Minutes.

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee approve the minutes of the July 9, 2024 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 07 09 2024 Community Services, Public Safety, Housing & Development

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
July 9, 2024

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & Development Committee in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The Assistant City Clerk called the roll and announced the posting of the agenda. Chair Bryan A. MacDonald, Member Oscar Madrigal, and Member John C. Zaragoza were present in person.

Consideration of Teleconference Participation pursuant to Assembly Bill 2449.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ray Blattel (fireworks safety concerns).

C. CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee approve the minutes of the June 25, 2024 regular meeting as presented.

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

D. REPORTS

1. City Manager Department

SUBJECT: Update on Citizen Advisory Groups (CAGs) Effectiveness and Efficiency and Direction on the Future of the Library Board and Commission on Homelessness.

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

1. Receive an update on the efforts to evaluate and support the effectiveness and efficiency of the six (6) CAGs;
2. Provide direction on staff's recommendation to dissolve the Commission on Homelessness; and
3. Provide direction on staff's recommendation to restructure the Library Board.

Ashley Golden, Assistant City Manager presented and answered the Committee's questions. Public comments were received from Arlene Carter. Discussion ensued among the Committee and staff.

The committee took no action on this item and directed staff to bring this item back to the committee for

review at a future meeting.

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

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Bryan A. MacDonald adjourned the meeting at 7:01 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair



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

REPORTS AGENDA ITEM NO. D.1

DATE: July 23, 2024

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

FROM: Jason Benites, Police Chief, (805) 385-7624, jason.benites@oxnardpd.org

SUBJECT: Drone as a First Responder (DFR). (10 minutes)

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee receives and files a report by the Police Department on drone use, and authorizes the Police Department staff to explore the development of a Drone as a First Responder (DFR) Plan for the City of Oxnard.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/WWpBTfceDT4>

BACKGROUND

Unmanned Aerial Systems (UAS)

Small, remotely operated Unmanned Aerial Systems (UAS), also commonly referred to as "drones," are an efficient and effective way of providing law enforcement critical information to respond to calls for service and emergency situations or to conduct criminal investigations. Some examples include providing an overhead view of an area or incident for ground personnel, safely clearing the interior of buildings, providing detailed documentation of crime and accident scenes, and searching for lost or missing persons.

In 2018, the Police Department began studying the use of drone technology in its public safety operations. The Police Department explored best practices, policies, and procedures regarding the use of UAS technology in law enforcement. A particular focus of the research was an effort to address and assuage concerns about public trust, civil liberties, and the public's right to privacy during the operation of UAS systems.

Before implementing its UAS Program, the Police Department presented its plan to a variety of groups in 2018 and 2019, including the Police Chiefs Advisory Board, Inter Neighborhood Council Organization (INCO), the Community Relations Commission, the City Council's Public Safety Committee, and eventually the City Council in October of 2019. The Police Department's efforts were well-supported.

On November 13, 2019, the Police Department conducted its first UAS flight. The Police Department's UAS program is currently based on a "response model." Under this model, qualified drone pilot officers respond when called upon from other assignments with drones. The Police Department currently has

ten (10) sworn officers who comprise the UAS Unit. Their commitment to the UAS program is that of a collateral assignment, meaning that this is a responsibility in addition to their principal duties. All members of the UAS Unit have qualifications that exceed basic requirements; all hold Federal Aviation Administration “Part 107” certificates. This certification is not necessary since the Police Department secured a *Certificate of Authorization* (COA) for drone operations; however, we believe that this further raises standards.

At the time of this report’s drafting, the Police Department has conducted 535 UAS flights since the program’s first flight in November 2019. The pace at which the Police Department uses UAS is accelerating, with 108 flights in 2024 (May 29). A look at the Police Department’s UAS usage in 2023 shows that its 115 drone deployments that year are broken down into the following flight types:

- 25 for field operations support (area searches)
- 42 for tactical assists (SWAT operations)
- 20 for crime scene documentation
- 12 for special events support
- 9 for area mapping
- 7 for training

The UAS program has proven valuable by increasing community and officer safety, improving crime scene documentation, and increasing efficiency.

Since its first flight in 2019, the Police Department has not received a single complaint about their use, and no violations of policy have occurred. The policy, found in the *Oxnard Police Department Policy Manual*, can be found on the Police Department’s website, on its own webpage: <https://sites.google.com/oxnardpd.org/drones/unmanned-aerial-systems>.

Looking to the future, the Police Department recognizes the continued integration of UAS in public safety roles. This vision is supported by success stories in cities such as Chula Vista, California, which has been a pioneer in incorporating UAS into its police department’s operations. Given their value, growing utility, and our continued success, the Oxnard Police Department is seeking to explore the development of its own *Drone as a First Responder* (DFR) program. If this can be established, Oxnard would be the first DFR agency in the Tri-Counties Region and will strive to serve as a model agency in this field.

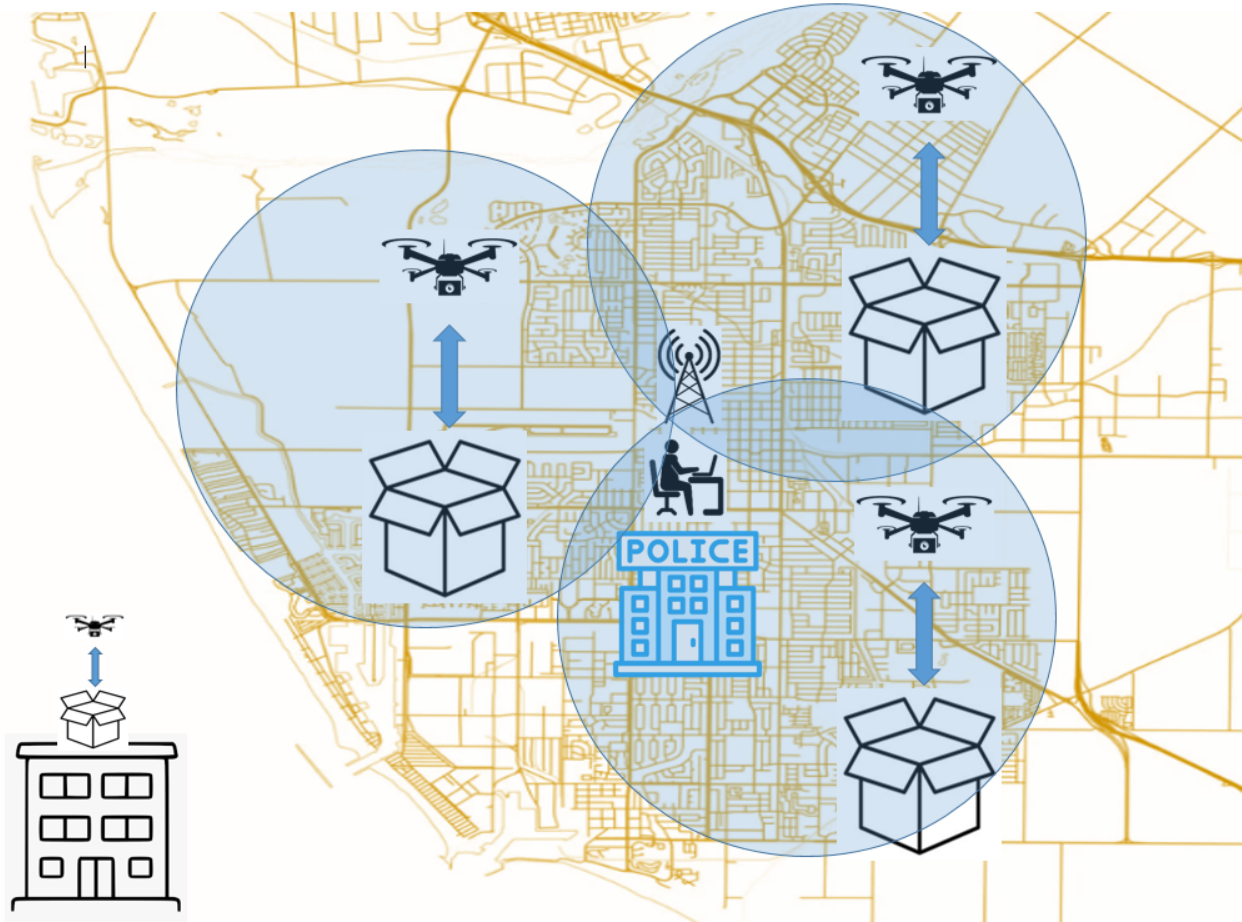
Drone as a First Responder

DFR is a network of drones that are pre-positioned across the City in fully automated launch sites known as “nests” and are ready to respond to calls for service. Nests are essentially automated protective boxes in which the drones are stationed and charged. The nest opens up when deployed, and the drone flies from it. When it has completed its response, the drone returns to it, lands on its charging pad, and the nest then closes its protective doors. Nests are placed at various locations across the City, with the intent to provide as much area coverage as possible.



Sample UAS "nest"

The aircraft are remotely operated by an FAA-licensed sworn officer pilot, situated in a command center in the police headquarters building. The DFR drone has an onboard camera that streams high-definition video to the Police Department's real-time operations center. The drone pilot, a police officer trained in critical incident management, controls the drone remotely and communicates with the responding units on the ground. This gives them information about the call they are responding to, such as the location of the disturbing persons, descriptions, and direction of travel. DFR drones are also very useful in confirming or ruling out the presence of weapons or other safety concerns- this can be a valuable de-escalation tool. The DFR system can also stream video feed to the cell phones and media devices of the first responders, supervisors, and command staff. This greatly enhances situational awareness, as they can see exactly what the drone sees in real time.



DFR concept (not to scale)

DFR has demonstrated the ability to increase officer and community safety and efficient deployment of officers. For example, being the first in the nation, the City of Chula Vista is a pioneer agency for DFR. Between 2018 and 2024, Chula Vista used DFR drones 18,225 times for calls for service. With DFR, Chula Vista was able to respond to calls without the use of a patrol unit in 4,156 of those calls, or 22.8% of the time. This means that patrol officers remained available to engage in other activities, such as community policing and neighborhood problem-solving efforts.

DFR has also demonstrated the ability to respond to a variety of call types. For example, the top call types for DFR in Chula Vista between 2018 and 2024 involved:

- Disturbances (28.1%)
- Check well-being (17.65%)
- Person in crisis (14.36%)
- Domestic disturbances (10.69%)
- Unknown circumstances (7.27%)
- Suspicious persons (6.57%)
- Assaults (5.97%)

Very importantly, DFR has shown great success in reducing overall police response times. In Chula Vista, during these six years, DFR drones had an average response time of ninety-two seconds to calls in which they were first on scene and one hundred and ten seconds as an overall response time. DFR drones recorded 41% faster response times to “priority one” (high priority) calls and 47% faster responses to priority two calls. When deployed, they were the first police resource that arrived on scene nearly half the time, immediately providing overwatch and information to responding officers on

the ground. The effectiveness of DFR in reducing response times directly supports the Oxnard City Council's stated priority of "maintaining and reducing 9-1-1 response times."

Oxnard and DFR

The Police Department intends to explore the feasibility of starting its own DFR program, with an intended start date in early 2025. The intent is to determine a suitable number of DFR nest sites, a suitable UAS platform, and hours of operation. It is likely that a startup DFR program would set an initial goal of approximately ten (10) hours of UAS integration with Patrol Division responses, spanning seven (7) days per week. The first phase of the DFR program would seek to cover approximately seventy percent (70%) of the City's land surface area. Using historical and trending call-for-service data, the DFR aims to cover areas in the City where approximately eighty percent (80%) of police service calls are generated. Later phases would potentially expand the coverage area, as well as the days and times of operations. In addition to responding to police calls for service, DFR would also serve as a potential asset to the Fire Department, such as in the case of structure fires and hazardous material responses.

The Police Department's effort to establish a DFR program would involve community outreach, such as public meetings. Topics would include, but not be limited to:

- Overview of the Police Department's UAS program, highlighting success stories involving their use
- Efforts to communicate the Police Department's existing policies on the use of UAS
- Remote pilot qualifications and standards
- Matters related to transparency, accountability, and honoring privacy rights

Police Department staff would also conduct a thorough review of suitable UAS platforms and explore funding sources for them.

The Police Department would plan to report to the City Council in the late fall of this year and seek final approval.

STRATEGIC PRIORITIES

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

There is no financial impact.

Prepared by: Rocky Marquez, Police Commander

ATTACHMENTS

None



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

REPORTS AGENDA ITEM NO. D.2

DATE: July 23, 2024

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

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

SUBJECT: Overview of the Clean Power Alliance (CPA) Voluntary Reach Codes Program. (20 minutes)

RECOMMENDATION

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

1. Receive and file the information provided in this staff report; and
2. Determine that the City should not participate in the CPA Reach Codes Program.

Please click the following link to view the required Measure M pre-recorded presentation video:
<https://youtu.be/uK3Zfemqv84>

BACKGROUND

EXECUTIVE SUMMARY

During recent City Council meetings (December 2023 and February 2024), members from Community Environmental Council and the Clean Power Alliance (CPA) made public comments requesting that the City voluntarily join the CPA Reach Codes program ("Reach Codes"). In the most basic form, Reach Codes are a local ordinance adopted by the local government that exceeds and enhances the state's building standards, with a focus on building electrification to reduce greenhouse gas emissions and the negative effects of climate change. CPA representatives promote the Reach Codes program as a means to reduce greenhouse gas (GHG) emissions and advance energy equity (herein defined as equitable decarbonization), while improving community economic and environmental indicators, and supporting regional and State electrification goals.

Following the February City Council meeting, CPA representatives, their consultant(s), and City Staff discussed the Reach Codes program and the relevance and alignment with the near term goals contained within the City Council-approved Climate Action and Adaptation Plan (CAAP).

The CPA Reach Codes programs can apply to new construction or existing building construction projects. The existing building construction Reach Codes is in its infancy and is considered a "pilot" program at this point. Through existing building code requirements, new construction already has to implement aggressive energy standards; therefore, the Reach Codes program does not have the potential to make significant GHG reductions in the City at this time, and in part is why they were not included in the City's CAAP.

As described in this report, there are a variety of reasons why staff does not recommend implementing Reach Codes at this time, which can be summarized as follows:

- The City Council has adopted a pathway to its GHG emissions reduction target through the CAAP, which is focused in the short-term on the largest GHG emitters. The CAAP does not include adopting Reach Codes as a strategy to reach our city's emission target.
- There are many unknowns, including costs to both the owners and tenants, as a result of enforcing the Reach Codes without significant, verifiable, or quantifiable reductions in GHG emissions.
- Early adopters of Reach Codes are now hesitating, and in some cases reversing, their adoption of Reach Codes, due to the January 2, 2024 Ninth Circuit Court California Restaurant Association (CRA) vs. City of Berkeley decision.
- Reach Codes are moving to mixed-fuel building design, which is in alignment with the California Building Standards Code (Title 24).
- California's progressive Title 24 is moving aggressively towards decarbonization, and that trend will continue with each new code adoption cycle, thus making the adoption of static Reach Codes cumbersome and potentially leading to conflicts with changing state regulations.

BACKGROUND

California Building Standards Code (Title 24) Moving Towards Decarbonization.

The current 2022 California Building Standards Codes (Title 24) became effective January 1, 2023. This collection of standards and codes governing building construction in California includes the 2022 Energy Code (Title 24, Part 6) as well as the 2022 California Green Building Standards Code (Title 24, Part 11), also known as CALGreen. The Title 24 Codes are updated every three (3) years through a collaborative public process that involves many diverse professional stakeholder groups and opportunities for public input. These stakeholders use empirical research to curate equitable codes to steer development to promote more energy-efficient buildings. With over 42 stakeholder groups participating in the most recent Energy Code update process, the progression to more stringent energy efficiency and decarbonization standards has been a well publicized process that includes noticing and public input.

The Energy Code has historically been the most progressive of the Title 24 Codes, with increasingly stringent energy efficiency and decarbonization requirements being rolled out with each code update. These codes reflect the state's 2045 carbon neutrality goal, which includes the procurement of renewable energy to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Additionally, there are two methods for achieving Title 24 compliance in California, a prescriptive method and a performance standard. A prescriptive method is the simplest approach to Title 24 compliance where an applicant must show that a building meets each minimum or maximum level prescribed in the set of requirements contained in a package. The performance approach establishes an energy efficiency rating and requires all buildings to perform at that threshold. As discussed later in the report, the CPA Reach Codes also provide for these two methods.

The next Title 24 code update, the 2025 California Building Standards Code, will be effective January 1, 2026.

Introduction to the CAAP.

Oxnard's CAAP was approved by Council in December 2022 with the aim to reduce the city's GHG emissions by 40 percent (40%) below 1990 levels by 2030 and 80% below 1990 levels by 2050. The CAAP identifies a calculated plan of strategies to successfully achieve this goal. The city's biggest contributor to greenhouse gas (GHG) emissions are vehicles (44%), followed by electricity (24%), then natural gas (19%) - this is covered in Chapter 2 of the city's CAAP (2018 inventory). As such, the primary focus of the CAAP strategies address transportation, clean energy procurement and generation, land use, and resilience.

During the CAAP development process there were robust discussions among stakeholders about exceeding state building codes, including requiring all-electric building standards. Ultimately, Council approved the CAAP without such strategies to meet Council approved GHG goals. That decision in part was based on the need to retain natural gas as a reliable energy source during times of potential electricity grid disruption, at least for the foreseeable future, until adequate local energy storage capacity is developed.

A link to the CAAP GHG reduction strategies can be secured here (Chapter 5 contains the summary of the measures): <https://www.oxnard.gov/community-development/long-range-planning-sustainability/climate-action-and-adaptation-plan>. Please see Table 5-2 of the CAAP which is a summary of GHG reduction strategies and actions, with implementation details. Currently, staff is focused on strategies T1, T2 (Electric Vehicle infrastructure planning and installation), as well as other programs which implement CAAP goals related to resilience, and other programs outside of the context of this Reach Codes Staff report. Currently, the City is implementing the following initiatives identified in the CAAP to reduce GHG emissions:

- Participation in the CPA's renewable electricity program (Targets providing options for clean energy/electricity energy tiers/GHG).
- Incorporating sustainable design into City capital improvement projects (Targets reducing electricity/GHG).
- Solicitation of Electric Vehicle (EV) procurement options for municipal parking lots, buildings, and parks (Targets vehicles/GHG).
- Utilizing the ENERGY STAR Portfolio Manager portal to track and improve energy efficiency at municipal facilities (Targets building electricity and gas/GHG).
- Maintaining and expanding the City's tree canopy inventory (Targets air quality, removal of climate-warming carbon dioxide/GHG).
- Utilizing a water demand data portal to track per-parcel water usage across the City (Targets saving of resources/electricity/GHG).

City's Participation in Clean Power Alliance Programs.

The City joined the CPA in February 2018 (Ordinance No. 2935/Joint Powers Agreement with a CPA authority). Oxnard's residential customers were enrolled in CPA service in February 2019, and non-residential accounts were enrolled in May 2019.

CPA provides customers with clean, renewable electricity across Los Angeles and Ventura Counties. The City receives quarterly CPA reports which track progress in meeting CAAP participation and clean energy goals. The most effective strategy for meeting the City's GHG emission reduction targets is 95% participation in CPA's 100% Green Power energy tier. As of May 2024, Oxnard's customers have maintained 95.12% participation in CPA's 100% Green Power energy tier, which is on track to meet the CAAPs GHG emission reduction targets (see Attachment 1 - Q2 report for 2024).

In addition, the City actively promotes CPA programs that align with strategies outlined in the CAAP and economically benefit the community. CPA programs that the City is actively pursuing include:

- Power Ready program, which equips the Oxnard Service Center, located at 214 South C Street, with solar and battery storage systems. Construction is set to begin in early 2025.
- Power Share program, which provides income-qualified customers in under-resourced communities with 100% renewable energy and a 20% discount.
- Energize Communities Pathway program which will provide \$250,000 for fleet electrification and planning.

ANALYSIS/DISCUSSION

CPA Reach Codes Program Summary.

CPA's voluntary Reach Codes program aims to develop building electrification Reach Codes to promote decarbonization standards that exceed mandatory standards illustrated in Title 24 (see Attachment 2). The goal of building electrification (New Construction & Existing Buildings) is to reduce the use of methane gas, ensure buildings are operating efficiently, and to prepare the market for statewide electrification goals.

While it is the intention of Reach Codes to progress towards all-electric building designs, the Reach Codes program includes the evaluation of both all-electric and mixed-fuel building designs to promote decarbonization. This approach is in alignment with the Title 24 mandates, and like Title 24, the Reach Codes provide for both prescriptive and performance methods to comply.

CPA Reach Codes Process.

Participation in the Reach Codes program would involve coordination with a CPA hired consultant. That consultant would develop the most effective Oxnard specific GHG emission reducing Reach Codes using relevant policies, city permitting data, and stakeholder engagement. This would take approximately 6-12 months to complete and require allocation of staff time to support the consultant's analysis. In addition, stakeholder events as well as Council Study sessions are anticipated. The outcome of this work effort would be a Reach Codes ordinance tailored to the City, meaning a recommendation from the consultant to either adopt an all-electric or mixed-fuel Reach Codes. The ordinance would be subject to community review and input and would require adoption by City Council.

Progressive Title 24 Regulations and Reach Codes GHG Savings.

Implementing Reach Codes effectively mandates construction requirements ahead of Title 24's collaborative outreach process. It is hard to quantify Reach Codes GHG savings as compared to implementing the California Building Standards Code. While the California Building Standards Codes are updated every three years, Reach Codes amendments are not tied to the three-year State code cycle, meaning they can be adopted at any time. If Reach Codes were adopted, the City would be committed to maintaining its "reach" status, therefore amending the Reach Codes if Title 24 surpasses it. This would require regular updates, performance tracking, staff time, and resources, which would take away from efforts towards approved CAAP strategies and other City Departmental priorities.

In upcoming versions of the California Building Standards Codes, policies will continue to progress towards decarbonization, inevitably making the adoption of static Reach Codes irrelevant in the future.

It is unclear how the Reach Codes program would impact our GHG reduction requirements identified in the CAAP. CPA estimates a range of percentages of GHG emission reduction between 22% to 46% per home with the implementation of a *new housing construction* Reach Codes. It is important to note that these figures are unverified and do not include estimated GHG reduction percentages for other building types. There are a number of strategies in the CAAP that provide greater and verified GHG reduction outcomes.

The Financial Impacts of Implementing Reach Codes.

Implementing Reach Codes has the potential to increase construction costs and/or energy bills, which are inherently passed onto property owners or tenants. While construction costs are anticipated to decrease with an all-electric building design, energy bills are expected to increase. Conversely, with a mixed-fuel building design, construction costs are anticipated to increase while energy bills are expected to decrease.

Statewide Hesitation Towards All-Electric Reach Codes.

The City, along with many communities in the state, have taken a stance against all-electric building designs and find that the Reach Codes program mandates are not an effective solution to reduce GHG emissions at this time. In July 2019, the City of Berkeley published the first-in-the-nation ban on natural gas, codified in an all-electric Reach Codes, (Ordinance No. 7672, “Prohibition of Natural Gas Infrastructure”). While Berkeley’s Reach Codes did not directly restrict the use of natural gas, it prohibited natural gas hookups in new construction, effectively eliminating obsolete natural gas appliances. This move aimed to transition buildings away from fossil fuels to combat climate change.

In November 2019, the California Restaurant Association (CRA), filed a lawsuit against the City of Berkeley claiming that the code violated the Energy Policy and Conservation Act (EPCA), which preempts state and local regulations concerning the energy use of many natural gas appliances. Additionally, the CRA claimed that restricting natural gas would harm the restaurant community by necessitating the relocation of restaurants, replacement of expensive cooking equipment, and retraining of chefs to use new equipment.

On January 2, 2024, the Ninth Circuit Court of Appeals ruled against the ban, finding that it was preempted by EPCA. Consequently, the Berkeley City Council stopped enforcing the ban.

In light of the CRA v. City of Berkeley case, many cities have reconsidered their natural gas bans (all-electric Reach Codes), such as City of Palo Alto, Mountain View, and Encinitas to name a few. Similarly, Oxnard should not implement all-electric Reach Codes since mixed-fuel building designs are optimal for increasing energy redundancy and resilience. While recognizing the importance of renewable energy in reducing GHG emissions, the City seeks to promote the choices allowed by the Energy Code, rather than mandating building efficiency models ahead of the methodical progression towards decarbonization found in the Energy Code.

Are Other Communities Adopting Reach Codes?

As of 2024, in California there are 482 municipalities within 58 counties. Of these municipalities, only 73 have adopted Reach Codes; this represents approximately 15% of municipalities. Municipalities with adopted Reach Codes are located in 14 counties across the state (or 24% of all California counties) with the majority located in San Mateo, Contra Costa, and Alameda, and Los Angeles County. Regionally, within Ventura County, only the City of Ojai and the County of Ventura have adopted All-Electric Reach Codes for both residential and non-residential projects (see Attachment 3, map and table).

Communities in Los Angeles, cities such as Santa Monica, West Hollywood, and Rolling Hills Estates are participating in the Reach Codes program. These communities are at the beginning stages of the program and have not yet determined what type of Reach Code they will implement. Notably, these cities have established climate action plans that have more stringent GHG reduction targets.

Impacts to the CAAP Implementation.

Staff recommends that the City not participate in the Reach Codes program for the reasons stated in this report. Reach Codes are not an approved strategy identified within the adopted CAAP. If staff is directed to explore Reach Codes it would require a pause on implementation of approved CAAP strategies. Shifting staff’s focus to a program that results in fewer GHG savings will be less impactful.

If this Committee supports staff’s recommendation, city staff will take steps to track the implementation of Reach Codes and their performance throughout the State in the coming years. The Reach Codes discussion may be ripe at the time of the 2025 Energy and Green Building Code updates. Finally, Reach Codes are planned to be reevaluated as a strategy in the CAAP update, which is anticipated to occur with the General Plan update

envisioned to kick off in approximately 2026. City Staff will continue to promote participation in CPA's energy services while tracking other CPA programs that are consistent with our adopted 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

There is no financial impact associated with this item as recommended. However, should the City participate in the CPA Reach Code program a significant amount of Staff time and departmental resources will be necessary.

Prepared by: Ashley Barden, Sustainability Analyst, Kathleen Mallory, Planning & Sustainability Manager

ATTACHMENTS

1. Q2 CPA Report
2. CPA Presentation
3. Statewide Map of Jurisdictions with Adopted Reach Codes
4. Presentation

Oxnard,

Thank you for being a clean energy leader!

The overall participation rate for your community is **92.8 %**.
95.1 % of active customers (**55,755**) have **100% Green Power**.

You are helping lead the way toward our green energy future and supporting your community!

Clean Power Alliance has launched the first phase of our Energized Communities Program to help member agencies reduce greenhouse gas emissions (GHGs) and reach sustainability goals by providing financial and technical support for vehicle and building electrification. The program was created in response to the requests from CPA communities for assistance in reaching their decarbonization and sustainability goals. CPA is making \$10 million in funding available over a three-year period for member agencies to implement available pathways in the program.

Phase one of this program is the Pathways to Electrification. Pathways to Electrification will assist participating communities in one of three options: planning and funding building electrification; EV charging infrastructure for community use; and the transition of municipal fleets to electric vehicles. Communities can select one of these three options and will receive direct funding and planning assistance to implement electrification measures. Phase 2 of this program, the Innovation Grant, will launch later this year to support creative decarbonization projects that member agencies design. Both program offerings will provide up to \$250,000 per project.

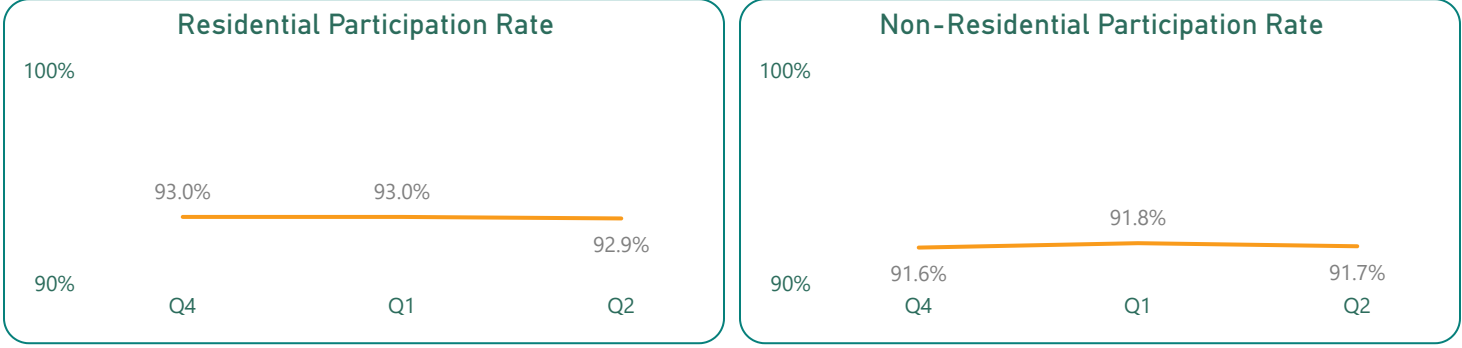
Learn more about the program at cleanpoweralliance.org/energized-communities. To discuss the program offerings with a CPA staff member, please email your inquiry to EnergizedCommunities@cleanpoweralliance.org.

PARTICIPATION RATES



In your community, the residential participation rate is **93.0 %**.
 In your community, the non-residential participation rate is **91.5 %**.
 You are making great strides toward a green energy future.

In your community, the overall participation rate is now **92.8 %**.
 The CPA overall participation rate is **93.1 %**.



ACTIVE CUSTOMERS

	100% Green Power	Clean Power	Lean Power	Total
NON-RESIDENTIAL	6,187	80	826	7,093
RESIDENTIAL	46,847	403	1,412	48,662
Total	53,034	483	2,238	55,755



ACTIVE RESIDENTIAL
CUSTOMERS

48.662



ACTIVE NON-RESIDENTIAL
CUSTOMERS

7.093

Oxnard has
55,755 active customers of **60,076** eligible customers.

CPA GHG EMISSIONS AVOIDED

Clean Power Alliance (CPA)
 member agencies avoided an
 estimated **10.921 BILLION POUNDS**
 of greenhouse gas emissions,
since launch of service in 2018.

*Based on usage through February of 2024.



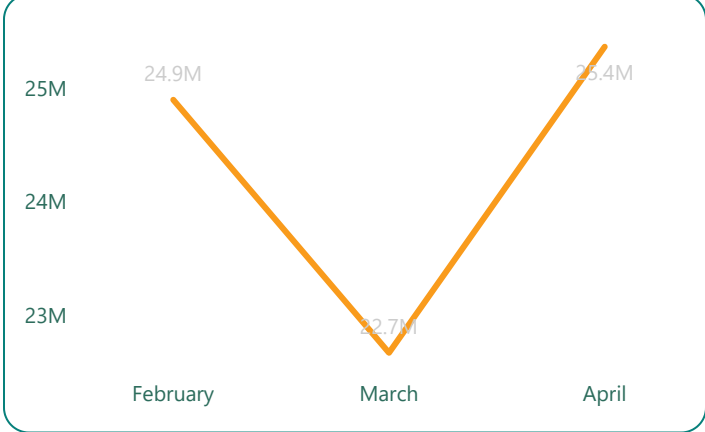
This is the equivalent of **81.7 MILLION TREES**
PLANTED AND GROWN FOR 10 YEARS!

81,741,104 TREES

MEMBER AGENCY LOAD BY THE KILOWATT-HOUR (kWh)



Non-Residential Load by kWh

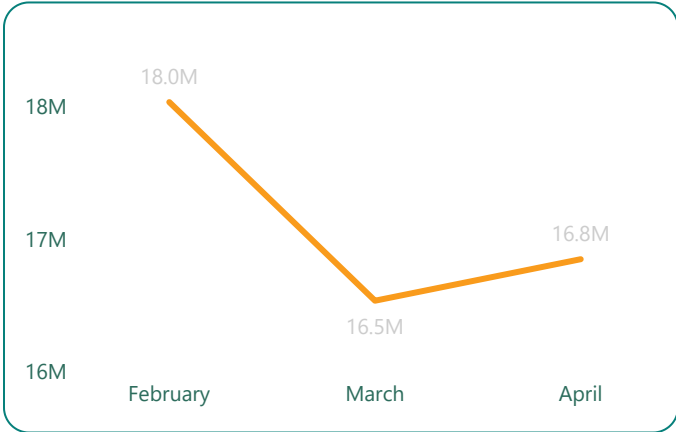


Monthly Total Usage for Non-Residential Customers (kWh)

72,927,244.00



Residential Load by kWh



Monthly Total Usage for Residential Customers (kWh)

51,406,916.00

Oxnard has a total load of **124,334,160.00 kWh** for this quarter.
41.3 % of the load is residential and **58.7 %** of the load is non-residential.

ACTIVE CUSTOMERS BY OPTION



CPA now has a total of **1,042,196**
 customers, with the average
 participation rate at **93.1 %**.

68.1 % of CPA's active customers have **100% Green Power** as their current rate option, for a total of **710,016** active customers.
21.3 % of CPA's active customers have **Clean Power** as their current rate option, for a total of **222,001** active customers.
10.6 % of CPA's active customers have **Lean Power** as their current rate option, for a total of **110,179** active customers.



CPAreachcodes.org



CPAReachCode@cleanpoweralliance.org

CPA Reach Codes Program

Advancing safer, healthier and more affordable buildings and vehicles

What are Reach Codes?

Local ordinances adopted by the local government that exceed and enhance the state's green building standards.

Important Facts:

- ⚡ Can be adopted at any time
- ⚡ Improves economic and energy performance of buildings
- ⚡ Reduces Greenhouse Gas (GHG) emissions, pollutants, and improves indoor air quality
- ⚡ Helps to reduce energy use and improve grid resiliency
- ⚡ Allows local governments to be leaders in climate solutions
- ⚡ Helps to fulfill local Climate Action Plan, Energy Plan, or other policy goals

Reach Codes Drive Decarbonization

Reduced Greenhouse Gas Emissions

- ⚡ Heat pumps, especially when energy sourced from a clean renewable energy from CPA, help to reduce harmful greenhouse gas emissions and mitigate negative climate change effects.

Lowest-cost, Lowest-risk Pathway

- ⚡ Electrification, especially when energy sourced from a clean renewable energy from CPA, helps to reduce harmful greenhouse gas emissions and mitigate negative climate change effects.
- ⚡ Electrification is cost effective, particularly for New Construction.
- ⚡ Gas infrastructure and fuel costs are highly volatile.

Air Quality Benefits

- ⚡ Electrification will eliminate the release of harmful pollutants indoors, leading to better air quality, fewer respiratory issues, and overall improved health.
- ⚡ New model codes align with upcoming SCAQMD rulemakings on zero emission appliances



Key Offerings from Clean Power Alliance

Templates and Tools	Customization	Adoption Support
⚡ Model ordinances and adoption resources developed through years of municipal support and stakeholder engagement ⚡ Resource library, tools, templates, and presentations ⚡ Streamlined delivery models based on lessons learned	⚡ Diverse needs ≠ one size fits all ⚡ Provide local research and specific tools to support municipal staff ⚡ Interpret statewide CA code cost-effectiveness studies related to climate zones and goals ⚡ Integrate feedback regarding unique building stock and community feedback	⚡ Technical assistance ⚡ Present at City Council meetings ⚡ Facilitate public workshops Financial Offerings Available to support the added costs for adopting a reach code ranging from \$2,500 - \$25,000

Participation Agreement is required to participate in the program.
Participation does not obligate the jurisdiction to adopt the developed reach code.

What are the types of Reach Codes?



Building Decarbonization (New Construction & Existing Buildings)

- ⚡ **Goal:** to reduce the use of methane gas, ensure buildings are operating efficiently, and to prepare the market for statewide electrification goals



There are three reach codes pathways when amending the energy code:

- ⚡ **Prescriptive Codes:** Require one or more specific energy efficiency or renewable energy measures.
- ⚡ **Performance Codes:** Require buildings to meet an energy budget/performance score through a custom design, allowing applicants flexibility.



Electric Vehicle Infrastructure (EVI)

- ⚡ **Goal:** to improve market readiness and increase equitable access to clean transportation EV charging stations

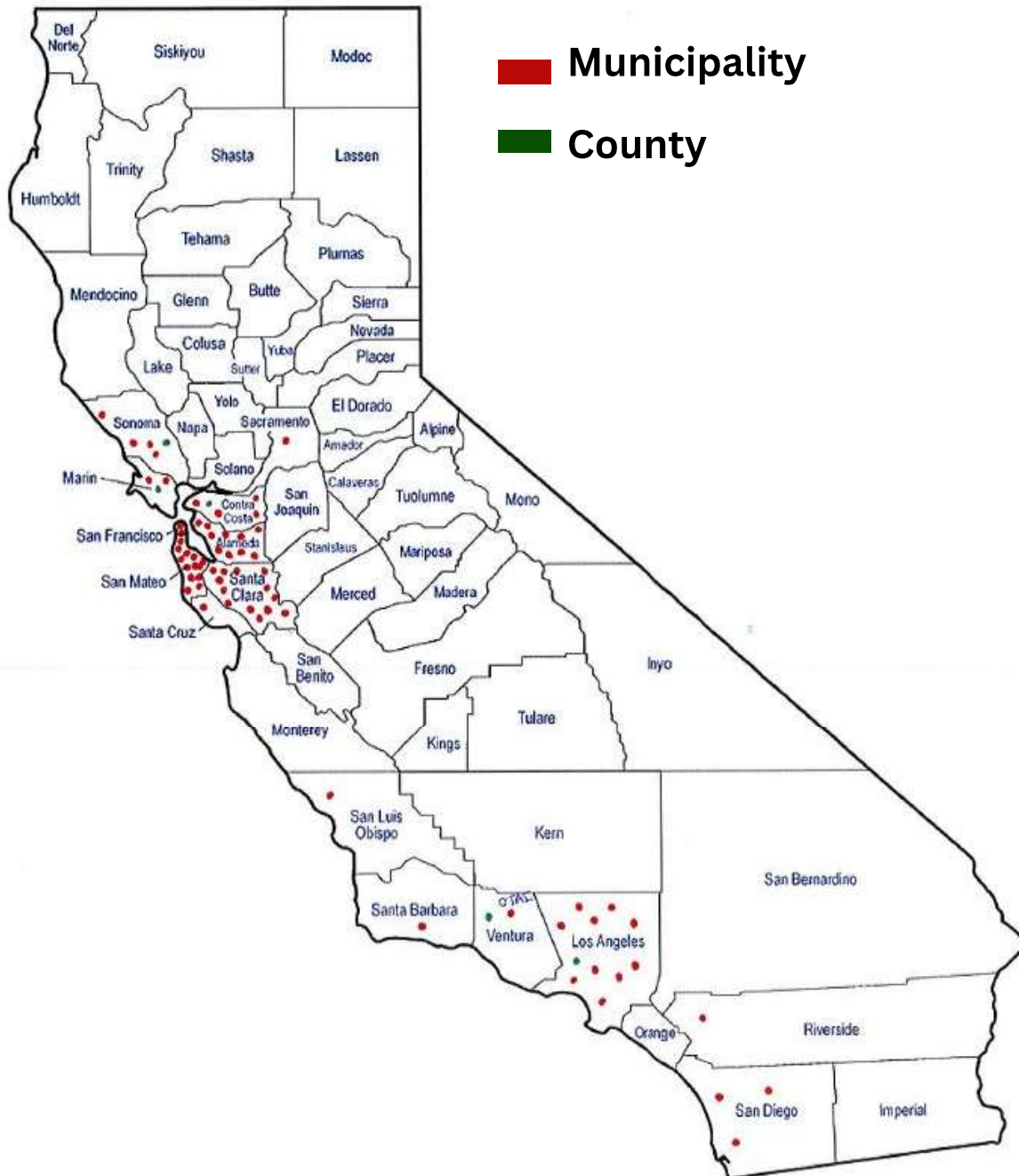
New Construction Policy Comparison

Approach	Description	Pros	Cons	Who's done it?
Air Quality 	Regulates building or appliance emissions through CALGreen, Part 11.	• Uses Clean Air Act authority rather than Energy Policy and Conservation Act • Regulates all emitting equipment (cooking, fireplaces, dryers, etc.) • Likely to result in all-electric construction, which includes construction cost savings • Direct benefit to air quality / health • High impact on emissions reduction	• Legally untested • Potentially new enforcement approach	Los Altos Hills New York City
Energy Performance 	Requires a higher <i>Source Energy</i> compliance margin than what the state requires through the performance path of the Energy Code, Part 6.	• Mitigates legal risk by allowing methane gas pathways • Can provide an all-electric cost-effective pathway • Enforcement process is already in place, the compliance margin is increased	• Limited to regulating space heating/cooling and water heating • Likely lower carbon savings compared to all-electric only pathways	Santa Cruz San Jose San Luis Obispo Palo Alto East Palo Alto Encinitas

Existing Building Policy Comparison

	Description	Advantages	Challenges	Who's done it?
Time of Replacement	Require that property owners at the time of equipment replacement (upgrades or burnouts) abide by zero-NOx requirements and/or electric readiness requirements.	• Simple policy • Replacements occur more frequently than major renovations	• Emergency replacements • May result in some bypassing the permit process	San Mateo, Portola Valley, Marin County, Palo Alto
Time of Renovation	Require applicants that are already pulling a permit for a renovation project to abide by certain energy efficiency measures and/or electric readiness requirements.	• Customizable triggers • Unlikely to impact small or low-cost renovation projects • Unlikely to bypass the permit process	• More complex policy • Clarity of permit data • Low permit/renovation rates can increase time to make impact	San Mateo, Portola Valley, Piedmont, Marin County, San Luis Obispo
BPS	Require property owners to regularly report energy- or emissions- use intensity (EUI). In addition, the policies require incremental reductions in EUI over a set time horizon.	• Monitor building stock • Customizable triggers • Regular enforcement cycles	• Large administrative burden (cost/time)	Cities: Denver, Reno, Chula Vista, St. Louis, etc. States: Oregon, Washington, Maryland, Colorado
Time of Property Transfer	Leverage real estate transactions to disclose relevant information on, incentivize, or require, certain home improvements. <i>We do not recommend policies which inhibit or delay the sale of a property.</i>	• Leverages major financial transaction • Allows responsibility to be shared between buyer and seller	• Limited precedence for jurisdictional authority • Jurisdiction regulation of property transfer process • Low transfer rates can increase time to make impact	Piedmont, Berkeley, Davis

Statewide Map of Jurisdictions with Adopted Reach Codes



Overview of the Clean Power Alliance (CPA) Voluntary Reach Code Program

Jeff Pengilley, Community Development Director
Kathleen Mallory, Planning and Sustainability Manager
Ashley Barden, Sustainability Analyst
Community Development Department

Community Services, Public Safety, Housing & Development Committee
July 23, 2024

- Dec. 2023 and Feb. 2024 Community Environmental Council and Clean Power Alliance (CPA) requested the City voluntarily join the CPA Reach Codes Program
- Reach Codes are local ordinances that exceed and enhance the State's building standards with a focus on building electrification to reduce greenhouse gas emissions (GHG); address the negative effects of climate change
- CPA Reach Codes program is designed to reduce GHG emissions and advance energy equity
- Reach Codes program can apply to new construction of existing building construction projects or existing buildings
- The existing building construction Reach Codes program is in its infancy; considered a pilot program

- Existing building code requirements implement aggressive energy standards, Reach Codes are not a strategy in the CAAP due to existing building and energy code requirements
- Not recommended to adopt Reach Codes:
 - City Council approved GHG pathway per the CAAP
 - Many unknowns for owners and tenants; unverifiable and quantifiable GHG reduction emissions
 - 2024 Ninth Circuit Court / Berkeley decision - all electric Reach Codes are being reconsidered
 - Reach Codes are moving to mixed-fuel building design, which is very much in line with the Energy and Green Building Codes
 - California's progressive Energy and Green building codes are aggressively moving towards decarbonization; trend continue each new code adoption cycle; static Reach Codes can potentially lead to conflicts with changing State regulations

- Title 24 is a collection of mandatory building standards
- City adopted the latest Title 24 Codes on January 1, 2023
 - Includes 12 parts
 - Energy Code (Title 24, Part 6) and California Green Building Code (Title 24, Part 11), known as CALgreen
- The Title 24 Codes are updated every 3-years
 - Process is collaborative and public
- City to adopt updated codes by January 1, 2026
- Reach Codes would impact Title 24 Codes - Parts 6 and 11

- Council-approved Climate Action & Adaptation Plan (CAAP) adopted in Dec. 2022
 - CAAP process considered requiring Reach Codes; decision retain natural gas as reliable energy source
- Biggest contributor to GHG emissions are vehicles (44%); electricity (24%); and natural Gas (19%)
- CAAP outlines a roadmap to reduce GHG to meet City established emission targets of 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050
- Primary CAAP strategies focus on transportation, clean energy procurement and generation, land use, and resilience

- City joined CPA in 2018; accounts enrolled in 2019
- Most effective strategy for meeting City's GHG emission reduction targets is 95% participation in CPA's 100% Green Power energy tier
- May '24 CPA report on City participation = 95.12% in CPA's Green Power energy tier
- City also participates in various CPA programs designed to economically benefit the community:
 - Power Ready
 - Power Share
 - Energized Communities

- CPA's voluntary Reach Codes program aims to develop building electrification Reach Codes to promote decarbonization
- Goal of building electrification:
 - Reduce the use of methane gas
 - Ensure buildings are operating efficiently
 - Prepare the market for statewide electrification goals
- Program includes evaluation of both all-electric and mixed-fuel building designs to promote decarbonization

- Reach Code Program:
 - Coordination with CPA consultant
 - Policy and permitting review
 - 6-12 month process
 - Generates a Reach Code Ordinance tailored for the City
- Outcome - Reach Code Ordinance tailored to the City

- Reach Codes are not tied to the California Building Standards Codes Standards three-year cycle
- Reach Codes mandates ahead of Title 24's collaborative process
- CPA states that the Reach Code program will promote a 22% - 46% reduction in GHG emissions per home
 - Estimated and unverified
 - Representative of a nominal portion of GHG emissions from new housing construction

- Reach Codes may increase construction costs and/or energy bills, that are passed on to property owners and tenants
 - All-electric building designs can decrease construction costs but increase energy bills
 - Mixed-fuel building designs with energy performance upgrades can increase construction cost and decrease energy bills

Statewide Hesitations Towards All-Electric Reach Codes

- November 2019 lawsuit against the City of Berkeley claiming that their natural gas ban, or all-electric Reach Code (*Ordinance No. 7672, “Prohibition of Natural Gas Infrastructure”*) violated federal law
- January 2024, Berkeley stopped enforcing ban
- City seeks to promote energy choices allowed by the Energy Code

Encinitas suspends all-electric reach code based on 9th Circuit ruling (June 16, 2023)

Mountain View suspends all-electric building requirements without backup plan in place (April 15, 2024)

Palo Alto stops enforcing all-electric building requirement (February 27, 2024)

Berkeley Will Repeal Its Landmark Ban on Natural Gas in New Homes (March 27, 2024)

Sonoma County, cities taking stock after court's rejection of Berkeley gas ban (April 19, 2023)

- Only 15% of California cities have adopted Reach Codes
- Regionally, the City of Ojai and the County of Ventura have adopted all-electric Reach Codes
- Communities, such as Santa Monica, West Hollywood, and Rolling Hills Estates are participating in CPA's Reach Code Program
 - Cities take a varied approach at addressing GHG reduction; identified cities established more stringent GHG reduction targets

- Staff recommends the City not participate in the Reach Codes program
- City to track Reach Code performance in the coming year
- Reach Codes can be reevaluated as a strategy as part of the CAAP and General Plan update which will commence around 2026
- City will continue to participation in CPA's energy services and other CPA programs that are appropriate for the City at the moment

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

1. Receive and file information provided in this staff report; and
2. Determine that the City should not participate in the CPA Reach Code Program



End of Presentation