

## **ITEM 10.C.**

### **MOORPARK CITY COUNCIL AGENDA REPORT**

**TO: Honorable City Council**

**FROM: David C. Moe II, Redevelopment Manager**

**DATE: March 23, 2011 (City Council Meeting of 4/4/12)**

**SUBJECT: Consider Relocation Plan for Tenants at 65 First Street**

#### **BACKGROUND & DISCUSSION**

The City of Moorpark ("City") acquired 65 First Street ("Property") to construct a new driveway entrance to the existing Metrolink parking lot ("Project"). The Property is improved with one single family dwelling and a converted garage. Four households reside on the Property. Household sizes range from three to five family members. Each household occupies a room or two rooms in the house and share kitchen and bathroom facilities. The monthly rent varies from \$470 to \$1,150 depending on the number of rooms occupied. There is a total Project population of seventeen of which nine are adults and eight are children. All tenants report their ethnicity as Hispanic, and Spanish as primary language.

In order to move forward with the Project, the household will need to be permanently relocated. The displacement triggers relocation assistance obligations under Federal Relocation Law.

Among the various obligations of the Federal Relocation Law is the requirement to prepare a relocation plan addressing the circumstances and needs of those persons potentially displaced by the Project. Attachment I is the Relocation Plan ("Plan") that has been prepared by Overland, Pacific & Cutler (OPC) in accordance with the specific requirements set out in Section 6038 of the Federal Relocation Guidelines concerning projects that involve the displacement of less than 15 households. This Plan provides the Project description, the results of a needs assessment survey conducted among residents, a housing resource study and details of the Agency's proposed relocation program.

No 90-day notices will be issued prior to the required reviews and approval of this Plan. Tenants are allowed to leave voluntarily if they locate a relocation unit prior to the adoption of this plan.

**FISCAL IMPACT**

The total cost of permanently relocating the tenants at 65 First Street is \$92,050.00. Sufficient funds are budgeted in the FY 2011/12 Operating and Capital Improvement Budget to cover the cost of these relocations. \$81,492.00 will be paid from the Congestion Mitigation and Air Quality (CMAQ) Fund (2604) and \$10,558.00 from the Traffic System Management (TSM) Fund (2001).

**STAFF RECOMMENDATION**

Approve Relocation Plan for 65 First Street.

Attachment I: Relocation Plan



**RELOCATION PLAN  
FOR THE  
METROLINK PROJECT**

**PREPARED FOR**

**CITY OF MOORPARK**

**BY**

**OVERLAND, PACIFIC & CUTLER, INC.  
3750 SCHAUFELE AVE, SUITE 150  
LONG BEACH, CA 90808  
PHONE (800) 400-7356**

**JANUARY 25, 2012**

# TABLE OF CONTENTS

**INTRODUCTION..... 1**

**A. PROJECT LOCATION ..... 1**

**B. ASSESSMENT OF NEEDS. .... 2**

**C. REPLACEMENT HOUSING RESOURCES..... 3**

**D. CONCURRENT RESIDENTIAL DISPLACEMENT..... 3**

**E. TEMPORARY HOUSING..... 3**

**F. PROGRAM ASSURANCES AND STANDARDS. .... 4**

**G. RELOCATION ASSISTANCE PROGRAM. .... 4**

**H. CITIZEN PARTICIPATION/PLAN REVIEW..... 5**

**I. RELOCATION BENEFIT CATEGORIES. .... 5**

**J. PAYMENT OF RELOCATION BENEFITS. .... 7**

**K. IMMIGRATION STATUS..... 7**

**L. EVICTION POLICY..... 8**

**M. APPEALS POLICY..... 8**

**N. PROJECTED DATES OF DISPLACEMENT..... 8**

**O. ESTIMATED RELOCATION COSTS..... 8**

## **INTRODUCTION**

The City of Moorpark (the City) is considering a proposed development and construction of a driveway entrance for the existing Metrolink parking lot located at 65 First Street in Moorpark (the Project) and to proceed with its plans, the permanent relocation of all current occupants will be necessary. The City is utilizing federal transportation funds to finance the Project and provide relocation benefits payments to tenants.

This Project will ultimately require the demolition of one residential single-family dwelling, housing as many as three households, and a converted garage, housing one household, located at 65 First Street and the permanent relocations of all current occupants. The proposed displacement triggers relocation assistance obligations under the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Act) and State Relocation Law, California Government Code Section 7260 et seq. (the Law) and the California Code of Regulations, Title 25, Chapter 6 et seq. (the Guidelines). Among the various obligations of the Law is the requirement to prepare a relocation plan addressing the circumstances and needs of those persons potentially displaced by the Project.

The following Relocation Plan (the Plan) has been prepared by Overland, Pacific & Cutler (OPC) in accordance with the specific requirements set out in Section 6038 of the Guidelines. This Plan provides a Project description, the results of a needs assessment survey of the residential households, a housing resource study and details of the City's proposed relocation program. No displacement activities will take place prior to the required reviews and approval of this Plan.

### **A. PROJECT LOCATION**

The proposed Project will take place in the City of Moorpark (the City) which is located in the southeastern portion of Ventura County, approximately 40 miles northwest of downtown Los Angeles. Moorpark is easily accessible from State Routes 23 and 118 with neighboring communities of Simi Valley, Thousand Oaks, Camarillo, Somis, Santa Paula, and Fillmore. (See **Attachment 1**, Figure 1).

The specific Project site is located west of the SR-118 Ronald Reagan Freeway, near the northeast corner of Moorpark Avenue and First Street, at 65 First Street. (See **Attachment 1**, Figure 2).

## **B. ASSESSMENT OF NEEDS**

Survey information for the Plan was obtained in August 2010 from personal, on-site interviews with the affected residential households. The Project was placed on hold in November 2010 and resumed in January 2012 when updated tenant information was obtained.

The Project involves four households residing in one single-family dwelling and a converted garage. Household sizes range from three to five family members. They each occupy a room or two rooms in the house and share kitchen and bathroom facilities. The households began occupancy of the house as early as 2008 with others moving in during 2009 and 2010. The monthly rent varies from \$470 to \$1,150 depending on the number of rooms occupied and tenants are responsible to pay for all utilities which they split equally. There is a total Project population of 17 of which nine are adults and eight are children. All tenants report their ethnicity as Hispanic, and Spanish as primary language.

According to income standards for the County of Ventura adjusted for family size, as published by the United States Department of Housing and Urban Development (HUD) in June 2011 and by the California Housing Community Development Department in July 2011, three Project households qualify as extremely low income (less than 30% of area median) and one household qualifies as very low income (31% to 50% of area median); based on the unverified income as reported by tenants. No households are considered senior household (head of household or spouse 62 years or older) and there are no reported physical disabilities that could affect the relocation process.

The standard for housing occupancy the City adopted is two persons per bedroom and one person in a common living area. Three Project households require two-bedroom replacement units based on this City standard and one requires a one-bedroom

replacement unit. Replacement housing referrals to the occupants will reflect the need for appropriately sized accommodations.

Prevailing HUD income standards as well as general demographic information for the City are presented in **Attachments 2 and 3**.

**C. REPLACEMENT HOUSING RESOURCES**

A housing resource survey was conducted in January 2012 to determine the availability of replacement housing within the cities of Moorpark, Santa Paula, Thousand Oaks and Simi Valley. One-bedroom and two-bedroom apartment, duplex, condominium, and townhouse residences were considered as appropriate replacement dwelling units for Project tenants.

Housing availability survey results are summarized below in **Table 1**. The data indicate sufficient availability of needed housing units.

<b>TABLE 1: Replacement Rental Housing Resources</b>			
<b>Bdrm Size</b>	<b>Found (Needed)</b>	<b>Range</b>	<b>Median</b>
1	15 (1)	\$875 - \$1,650	\$1,325
2	21 (3)	\$795 - \$1,795	\$1,450

**D. CONCURRENT RESIDENTIAL DISPLACEMENT**

There are currently no public projects underway in the City of Moorpark that could potentially compete for available replacement housing.

**E. TEMPORARY HOUSING**

There is no anticipated need for temporary housing. Should such a need arise, the City will respond appropriately and in conformance with all applicable laws and requirements.

## **F. PROGRAM ASSURANCES AND STANDARDS**

There are adequate funds available to relocate the Project households. Services will be provided to ensure that displacement does not result in different or separate treatment based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968; the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

No one will be displaced without a 90 day notice and unless “comparable” replacement housing can be located. “Comparable” housing includes standards such as: decent, safe, and sanitary (as defined in § 6008(d) of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to location to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced household as defined in section 6008, subdivision (c)(5) of the Guidelines. The relocation program to be implemented by the City conforms to the standards and provisions set forth under the Uniform Act and implementing regulations at 49 CFR Part 24.

## **G. RELOCATION ASSISTANCE PROGRAM**

A relocation representative from **Overland, Pacific & Cutler, Inc.** is available to assist the displaced households with questions regarding relocation and/or assistance in relocating. Staff may be contacted by calling **(800) 400-7356** during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. The relocation offices are located at:

**3750 Schauffele Ave., Suite 150  
Long Beach, CA 90808**

A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to the households being displaced and close contact will be maintained throughout the relocation process. Specific activities will include:

1. Distribution of informational brochure (see **Attachment 4**);
2. Timely referrals to at least three comparable replacement units as defined above and, if necessary, transportation will be provided to inspect potential replacement units;
3. Assistance with completion and filing of relocation claims, rental applications, and appeals forms, if necessary.

#### **H. CITIZEN PARTICIPATION/PLAN REVIEW**

This Plan will be provided to the households and will be made available to the public for a mandatory 30 day review period. Comments to this Plan will be included as a Plan addendum (see **Attachment 6**) prior to submission for approval before the City Council.

#### **I. RELOCATION BENEFIT CATEGORIES**

Relocation benefits will be provided in accordance with the Law, the Guidelines, and all other applicable regulations and requirements. Benefits will be paid upon submission of required claim forms and documentation in accordance with approved procedures. The City will provide appropriate benefits for the displaced household as required by the law.

##### **1. Residential Moving Expense Payments**

The subject household will be eligible to receive a payment for moving expenses. Payments will be made based upon either a fixed room count schedule or an

invoice for actual reasonable moving expenses from a licensed professional mover.

- 1) Fixed Payment - A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration schedules maintained by the California Department of Transportation (**see Fixed Payment Moving Schedule — Attachment 5**).

- OR -

- 2) Actual Reasonable Moving Expense Payments - The displaced household may elect to have a licensed, professional mover perform the move. If an actual move is selected, the displacing entity will pay for the actual cost of the move up to 50 miles and all reasonable charges for packing, unpacking, insurance, and utility connection charges. The payment will be made directly to the mover or as reimbursement to the displaced household.

## 2. Rental Assistance/Downpayment Assistance

Residential tenants who have established residency at the Project site for a minimum of 90 days prior to the initiation of negotiations to purchase the property and who choose to re-rent, may be eligible to receive a Rental Assistance Payment in addition to compensation for moving expenses. "Initiation of Negotiations" is defined as the first written offer by the City to buy the property from which the households will be displaced.

Rental Assistance Payments will be limited to a maximum of \$5,250, based upon the monthly housing need over a 42 month period, prior to consideration of Last Resort Housing needs. Eligible households may opt to apply the full amount of their rental assistance eligibility toward the purchase of a replacement dwelling.

### **3. Last Resort Housing Payments**

The displaced persons will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed total of their rental assistance eligibility exceeds \$5,250.

### **J. PAYMENT OF RELOCATION BENEFITS**

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the displacing entity within 18 months from: (i) the date the claimant moves from the acquired property; - or - (ii) the date on which final payment for the acquisition of real property is made, whichever is later. The City representative will inform and assist the displacees with obtaining the necessary documentation and will assist with the claim preparation.

No household will be displaced until "comparable" housing is located as defined above. Relocation staff will inspect any replacement units to which referrals are made to verify that they meet all the standards of decent, safe, and sanitary as defined in Section 24.2 (a) (8) of the Uniform Act. No household will be entitled to a rental assistance or replacement housing payment if it chooses to move to a replacement unit which does not meet the standards of decent, safe, and sanitary housing.

### **K. IMMIGRATION STATUS**

Federal legislation (PL105-117) prohibits the payment of relocation assistance benefits under the Uniform Act to any alien not lawfully present in the United States unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the City to negatively affect the alien's spouse, parent or child.

In order to track and account for relocation assistance and benefit payments, relocation staff will be required to seek immigration status information from each displacee 18 years and older by having them self-certify as to their legal status.

#### **L. EVICTION POLICY**

The City recognizes that eviction is permissible only as a last resort and that relocation records must be documented to reflect the specific circumstances surrounding any eviction. Eviction will only take place in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous or illegal act in the unit, or if the household refuses all reasonable offers to move. Eviction will not affect the eligibility of a person legally entitled to relocation benefits.

#### **M. APPEALS POLICY**

The appeals policy will follow the standards described in section 24.10 of the Uniform Act. Briefly stated, the displaced household will have the right to ask for review when there is a complaint regarding any of their rights to relocation and relocation assistance, such as a determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral.

#### **N. PROJECTED DATES OF DISPLACEMENT**

The households will receive a 90 day notice to vacate before they are required to move. These notices are expected to be issued in March 2012.

#### **O. ESTIMATED RELOCATION COSTS**

Any and all required financial assistance will be provided. The budget estimate for this Project, based upon four potentially displaced households, is **\$92,050**.

## TABLE OF ATTACHMENTS

- |                      |   |
|----------------------|---|
| <b>Attachment 1:</b> | Project Maps  |
| <b>Attachment 2:</b> | HUD Income Category Limits for Ventura County - 2011      |
| <b>Attachment 3:</b> | Demographic Information                                   |
| <b>Attachment 4:</b> | Informational Brochure to be given to Displaced Household |
| <b>Attachment 5:</b> | Fixed Payment Moving Schedule                             |
| <b>Attachment 6:</b> | Public Comments and Response                              |



**ATTACHMENT 2**

**HUD ANNUAL MEDIAN INCOME LIMITATIONS -  
VENTURA COUNTY**

The following figures are approved by the U. S. Department of Housing and Urban Development (H.U.D.) for use in the **County of Ventura** to define and determine housing eligibility by income level.

<b>Area Median: \$88,100</b>					
<b>Family Size</b>	<b>Extremely Low Income</b>	<b>Very Low Income</b>	<b>Low Income</b>	<b>Median Income</b>	<b>Moderate Income</b>
<b>1 Person</b>	18,700	31,150	49,850	61,650	74,000
<b>2 Person</b>	21,400	35,600	57,000	70,500	84,550
<b>3 Person</b>	24,050	40,050	64,100	79,300	95,150
<b>4 Person</b>	26,700	44,500	71,200	88,100	105,700
<b>5 Person</b>	28,850	48,100	76,900	95,150	114,150
<b>6 Person</b>	31,000	51,650	82,600	102,200	122,600
<b>7 Person</b>	33,150	55,200	88,300	109,250	131,050
<b>8 Person</b>	35,250	58,750	94,000	116,300	139,500

Figures are per the Department of Housing and Community Development (California), Division of Housing Policy Development, published **July 13, 2011**.

**ATTACHMENT 3**

**DEMOGRAPHIC INFORMATION**

<b>2010 Census Population - City of Moorpark &amp; Tract 76.11</b>				
<b>Population</b>	<b>Tract 76.11</b>	<b>%</b>	<b>City</b>	<b>%</b>
<b>Total Population</b>	4,375	100.0%	34,421	100.0%
<b>White</b>	2,625	60.0%	25,860	75.1%
<b>Black or African American</b>	42	1.0%	533	1.5%
<b>American Indian and Alaska Native</b>	53	1.2%	248	0.7%
<b>Asian</b>	83	1.9%	2,352	6.8%
<b>Native Hawaiian and Other Pacific Islander</b>	5	0.1%	50	0.1%
<b>Some Other Race</b>	1,388	31.7%	3,727	10.8%
<b>Two or More Races</b>	179	4.1%	1,651	4.8%
<b>Hispanic or Latino (of Any Race)</b>	3,641	83.2%	10,813	31.4%

Source: U.S. Census Bureau, Race, Hispanic or Latino, and Age: 2010

<b>2010 Census Housing Units - City of Moorpark &amp; Tract 76.11</b>				
<b>Type</b>	<b>Tract 76.11</b>	<b>%</b>	<b>City</b>	<b>%</b>
<b>Total Units</b>	923	100.0%	10,738	100.0%
<b>Owner-Occupied</b>	481	52.1%	8,182	76.2%
<b>Renter-Occupied</b>	406	44.0%	2,302	21.4%
<b>Vacant Housing Units</b>	36	3.9%	254	2.4%
<b>Available for Sale Only (of Total Vacant Units)</b>	2	5.6%	85	33.5%
<b>Available for Rent - Full Time Occupancy (of Total Vacant Units)</b>	21	58.3%	68	26.8%
<b>Sold or Rented - Not Occupied</b>	2	5.6%	22	8.6%
<b>Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)</b>	0	0.0%	15	5.9%
<b>Other Vacant</b>	11	30.6%	64	25.2%

Source: U.S. Census Bureau, General Housing Characteristics: 2010

**ATTACHMENT 4**

**INFORMATIONAL BROCHURE TO BE GIVEN TO THE DISPLACED HOUSEHOLDS**

ATTACHMENT 5

<b>Fixed Payment Moving Schedule</b>	
<b>Occupant Owns Furniture</b>	
<b>One room</b>	<b>\$625.00</b>
<b>Two rooms</b>	<b>\$800.00</b>
<b>Three rooms</b>	<b>\$1,000.00</b>
<b>Four rooms</b>	<b>\$1,175.00</b>
<b>Five rooms</b>	<b>\$1,425.00</b>
<b>Six rooms</b>	<b>\$1,650.00</b>
<b>Seven rooms</b>	<b>\$1,900.00</b>
<b>Eight rooms</b>	<b>\$2,150.00</b>
<b>each additional room</b>	<b>\$225.00</b>
<b>Occupant Does NOT Own Furniture</b>	
<b>First Room</b>	<b>\$400.00</b>
<b>each additional room</b>	<b>\$65.00</b>

**ATTACHMENT 6**

**PUBLIC COMMENTS AND RESPONSE**