



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 Library, 251 South "A" Street and the City Clerk's Office, 305 West Third Street during customary business hours. The agenda reports are on the City of Oxnard web site at www.ci.oxnard.ca.us.

AGENDA
OXNARD CITY COUNCIL
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meetings
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
Special Meeting
City Council Chambers, 305 West Third Street, Oxnard
February 14, 2012
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION

D. OPENING CEREMONIES – 7:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Employee of the Year Presentation.
2. **SUBJECT:** Presentation of Commendation to Salim Rahemtulla, Naval Base Ventura County, for His Dedicated Service.
3. **SUBJECT:** Presentation of Commendation to Captain James J. McHugh on the Occasion of His Retirement from the U.S. Navy.

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.

City of Oxnard internet address: www.ci.oxnard.ca.us.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any 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. The presiding officer shall limit public comments to three minutes.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Update of Conflict of Interest Code. (001)

RECOMMENDATION: Adopt a resolution repealing the current conflict of interest standards and adopting new conflict of interest code to reflect appropriate levels of disclosure and changes in authorized classifications.

Legislative Body: CC

Contact: Stephen Fischer

Phone: 385- 7492

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Oxnard Financing Authority for January 10 and 24, 2012, and February 7, 2012; Minutes of the Regular Meetings of the Oxnard Housing Authority for December 13, 2011, January 10 and 24, 2012, and February 7, 2012. (015)

RECOMMENDATION: Approve.

Legislative Body: FA/HA

Contact: Daniel Martinez

Phone: 385-7803

City Manager Department

3. **SUBJECT:** Agreements for City Council Review. (027)

RECOMMENDATION: Pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

Legislative Body: CC

Contact: Karen Burnham

Phone: 385-7450

4. **SUBJECT:** Ordinance Establishing Tobacco Retailer Permits. (029)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance establishing a local licensing system for tobacco retailers.

Legislative Body: CC

Contact: Grace Magistrale Hoffman

Phone: 385-7430

Oxnard Community Development Commission Successor Agency

5. **SUBJECT:** Adoption of a Draft Recognized Obligation Payment Schedule ("ROPS") Pursuant to the Provisions of ABx1 26. (041)

RECOMMENDATION: That the Community Development Commission Successor Agency ("Successor Agency") in accordance with the requirements of ABx1 26, passed by the State legislature on June 15, 2011, and signed into law by the Governor on June 29, 2011, adopt a resolution approving a Draft ROPS, setting forth a schedule of payments for obligations of the Successor Agency.

Legislative Body: CDCSA

Contact: Kymberly Horner

Phone: 385-7853

Public Works Department

6. **SUBJECT:** Proposition 1B Funds for Local Street Improvement. (053)

RECOMMENDATION: 1) Approve the reallocation of available Proposition 1B funds from the completed projects of Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project and the Sea Air Neighborhood Resurfacing Project; 2) Adopt a resolution allocating Proposition 1B funds in the amount of \$6,041,133 to the Sea Air Neighborhood, Bartolo Square North Neighborhood, Bartolo Square South Neighborhood and Cal-Gisler Neighborhood and Wooley Road street resurfacing projects; and 3) Approve the appropriation of available Proposition 1B funds in the amount of \$1,592,821 from the completed projects of Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project and to the Sea Air Neighborhood Project.

Legislative Body: CC

Contact: Grant Dunne

Phone: 340-8365

7. **SUBJECT:** Agreement with Ventura County Railroad for Grade Crossing Improvements. (059)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Ventura County Railroad (VCRR) (A-7471) in the amount of \$594,000 to improve the existing grade crossings at the intersections of Wooley Road and Oxnard Boulevard, Wooley Road and Commercial Avenue, and Wooley Road and Richmond Avenue.

Legislative Body: CC

Contact: Lou Balderrama

Phone: 340-5358

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Housing Department

1. **SUBJECT:** Second Amendment to the FY 2011-2012 Annual Action Plan.

RECOMMENDATION: Continue to March 6, 2012

Legislative Body: CC

Contact: Norma Owens

Phone: 385-7959

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

N. CITY COUNCIL/HOUSING AUTHORITY/FINANCING AUTHORITY/COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY BUSINESS/COMMITTEE REPORTS

T. ADJOURNMENT



Meeting Date: 02 / 14 / 2012

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Stephen Fischer, Asst. City AttorneyAgenda Item No. **I-1**Reviewed By: City ManagerCity AttorneyFinance

Other (Specify) _____

DATE: February 6, 2012**TO:** City Council**FROM:** Alan Holmberg, City Attorney **AH**
City Attorney**SUBJECT:** Update of Conflict of Interest Code

RECOMMENDATION

That City Council Adopt a resolution repealing the current conflict of interest standards and adopting new conflict of interest code to reflect appropriate levels of disclosure and changes in authorized classifications.

DISCUSSION

The Political Reform Act requires the City to review and amend its conflict of interest codes when necessary to add or delete designated positions and revise disclosure categories. The conflict of interest code must be reviewed every two years. In consultation with Fair Political Practices Commission staff, the City Attorney's Office has revised the former conflict of interest standards format to directly incorporate the model conflict of interest code adopted by the FPPC.

The City Attorney's Office also reviewed with department managers and the Human Resources Director the positions designated in Appendix I for filing Statements of Economic Interest. As recommended by FPPC staff, Appendix I has been updated to assign each designated position to appropriate disclosure categories that reflect job duties and responsibilities. Attached to this report is a redline version of Appendix I showing the changes to the list of designated employees.

FINANCIAL IMPACT

None.

Attachment #1 - Conflict of Interest Code Appendix I Redline

Attachment #2 - Resolution Adopting Conflict of Interest Code

**EXHIBIT A
CITY OF OXNARD
CONFLICT OF INTEREST CODE**

**APPENDIX I
LIST OF DESIGNATED POSITIONS AND
APPLICABLE DISCLOSURE CATEGORIES**

[**Bold** indicates added text; ~~strikethrough~~ indicates deleted text]

A. DISCLOSURE CATEGORY 1:

POSITION	DISCLOSURE CATEGORY
<u>Elected Officials, Boards and Commissioners, Contractors Consultants and Temporary Employees Acting Positions</u>	
Mayor	As required by State law
Councilmember	As required by State law
Community Development Commissioner	
Consultant / New Position	1, 2 ¹
Arts in Public Places Committee Member	
Downtown Design Review Committee Member	1, 2
Finance Authority Board Member	1, 2
Hearing Officer	1, 2
Housing Authority Commissioner	1, 2
Planning Commissioner	As required by State law
Library Board Member	
Mobilehome Park Rent Review Board Member	2, 6
Performing Arts Center Corporation Board of Directors Member	5, 6
Redevelopment Agency Commissioner	
Temporary Employees Performing Duties of Designated Acting Positions	
	Subject to same disclosure requirements as position performed
<u>City Attorney's Office</u>	
City Attorney	As required by State law

¹ In accordance with 2 Cal. Code Regs. §18734(b), consultants and newly created positions shall file under the broadest disclosure category in the agency's conflict-of-interest code until the agency amends its code to reflect the position, provided, however, that the City Manager, in consultation with the City Attorney, may determine that the broadest disclosure is not necessary and set interim disclosure that is more tailored to positions with a limited range of duties. This determination shall include a description of the position's duties and, based upon that description, a statement of the extent of disclosure requirements.

Assistant City Attorney	1, 2
Deputy City Attorney	1, 2
Law Office Manager	5

City Clerk's Office

City Clerk	5
Assistant City Clerk	5

City Treasurer's Office

City Treasurer	As required by State law
Assistant City Treasurer	As required by State law
	(manages public investments)
Revenue Account Manager	6

City Manager's Office

City Manager	As required by State law
Assistant City Manager	1, 2
Deputy City Manager	1, 2
Special Assistant to City Manager	1, 2
Facilities Maintenance Supervisor	5
Facilities Services Manager	5
Fleet Services Manager	5
Fleet Services Supervisor	5
Geographic Information Systems Coordinator	5
Legislative Affairs Manager	1, 2
Maintenance Services Manager	2, 3, 5
Management Analyst III	4
Network Services Coordinator	5
Parks Maintenance Supervisor	5
Parks Manager	2, 3, 5
Project Manager	2, 3, 4
Public Information Officer	1, 2
Systems Administrator	5
Telecommunications Coordinator	5

Community Development Department

Community Development Director	1, 2
Redevelopment Services Manager	2, 3
Redevelopment Project Manager	2, 3
Management Analyst II	2, 3

Development Services Department

Development Services Director	1, 2
Development Services Manager	1, 2
Planning and Environmental Services Manager	1, 2
Management Analyst II	5
Plan Check Engineer	3, 5, 6
Supervising Civil Engineer	3, 5, 6
Junior Civil Engineer	3, 5, 6
Supervising Building Inspector	3, 5, 6
Deputy Building Official	3, 5, 6
Principal Planner	2, 3, 5, 6
Associate Planner	2, 3, 5, 6
Assistant Planner	2, 3, 5, 6
Junior Planner	2, 3, 5, 6
Project Manager	2, 3, 4, 6

Finance Department

Chief Financial Officer	1, 2
Accounting Manager	5
Accounting Manager (Purchasing)	4
Buyer	4
Controller	5
Financial Analyst III	
Financial Services Manager	5, 3
Grants Coordinator	
Management Accountant/Auditor	

Fire Department

Fire Chief	1, 2
Assistant Fire Chief	1, 2
Battalion Chief	5, 6
CUPA Coordinator	5, 6
EMS Coordinator	5
Disaster Preparedness Coordinator	5

Housing Department

Housing Director	1, 2
Accounting Manager	1
Grants Coordinator	5
Housing Contract Administrator	4
Housing Financial Officer	

As required by State law
(manages public investments)

Housing Program Manager	6
Housing Program Supervisor	6
Housing Maintenance Superintendent	5
Housing Maintenance Supervisor	5
Housing Modernization Superintendent	5
Housing Rehabilitation Program Manager	2, 3
Housing Engineer	3, 5
Homeless Assistance Program Coordinator	5, 6
Compliance Services Manager	1, 2
Management Analyst I/II/III	3

Human Resources Department

Human Resources Director	1, 2
Human Resources Manager	5
Recruitment Supervisor	5
Workers' Compensation Manager	5

Library Department

Library Director	1
Library Services Supervisor	5
Library Circulation Supervisor	5
Library System Analyst	5
Management Analyst I	5

Recreation and Community Services Department

Leisure & Recreation Superintendent	1, 2
Management Analyst III	5, 6
Recreation Supervisor	5, 6
Community Services Manager	5, 6
Management Analyst I/II	5, 6

Police Department

Police Chief	1, 2
Assistant Police Chief	1, 2
Police Commander	5
Police Financial Manager	5
Code Compliance Manager	6
Community Affairs Manager	5

Public Works Department

Public Works Director	1, 2
Utility Services Manager	1, 2

Design and Construction Services Manager	1, 2
Administrative Services Manager	5
Traffic Engineer	1, 2
Management Analyst II/III	5
Water Programs Manager	5
Water Resources Manager	2, 5, 6
Solid Waste Superintendent/Special Assistant to City Manager	5, 6
Construction & Maintenance Engineer	1, 2
Streets Maintenance Supervisor	5
Recycling Manager	5
Streets Manager	5
Public Works Construction Manager	5
Chief Operator	5
Wastewater Operations Manager	5
Wastewater Maintenance Manager	5
Technical Services Manager	6

~~B. DISCLOSURE CATEGORIES 2 THROUGH 8~~

~~None~~

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD UPDATING THE CONFLICT OF INTEREST CODE
AND REPEALING RESOLUTION 13,756

WHEREAS, the Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation entitled, Title 2, Division 6 of the California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code. The terms of Section 18730 can be incorporated by reference, and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act.

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

1. This resolution, along with the terms of Title 2, Division 6 of the California Code of Regulations, Section 18730, which have been adopted by the Fair Political Practices Commission and are incorporated herein by reference, and the list of designated positions and disclosure categories set forth in Appendices I and II attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein, constitute the Conflict of Interest Code of the City of Oxnard.

2. The City Clerk is the filing official for the Mayor, Councilmembers, Planning Commissioners, City Manager, City Attorney, City Treasurer, and all other City officials who manage public investments as defined by Title 2, Division 6 of the California Code of Regulations, Section 18701(b). For the persons holding these positions, the City Clerk accepts the filing, retains a copy, and forwards the original to the Fair Political Practices Commission in Sacramento. For all other persons holding designated positions, the City Clerk is the filing officer and retains the statements. The City Clerk will make the statements available for public inspection and reproduction as described in Government Code Section 81008.

3. When City positions are created, deleted, or retitled, the filing officer has authority to designate the positions as being subject to the code and designate the reporting category, or remove the positions accordingly.

4. On or before March 1 of each year the City Clerk shall make copies of the Conflict of Interest Code, together with copies of applicable forms and instructions, and shall transmit them to all persons known or expected to be required to file Annual Statements of Economic Interests. The City Clerk shall make reasonable efforts to

encourage such persons to file such Statements by the April 1 deadline and to prepare such Statements in proper form. The City Clerk shall make other types of forms and information available as needed for statements other than the Annual Statements of Economic Interests.

5. Guidelines.

(A) Purpose. The Guidelines set forth herein are in addition to those required by the Political Reform Act and Section 18730, and are for the purpose of providing guidance to persons to avoid situations involving an actual or apparent violation of the Political Reform Act, this Conflict of Interest Code, or other laws.

(B) General Conduct. City officials and employees are expected to perform their duties in the best interests of the public rather than their own private interests. Public and private interests may conflict or coincide. In either case, the conduct expected of an official or an employee should include full disclosure of the private interest and possibly refraining from participating in the matter, depending upon the nature of the private interest. A frank and realistic identification of private interests which may be affected by a public decision is essential to the integrity of the process. Whether action such as disclosure and abstention is required once an interest has been identified is a matter of judgment when the Political Reform Act or this Conflict of Interest Code do not require disclosure and/or abstention. City officials or employees should not timidly refrain from exercising their duties because of every remote or imagined conflict or effect on their private interests but should withdraw when their interest is substantial.

6. This resolution shall take effect March 1, 2012, and repeals Resolution No. 13,756.

PASSED AND ADOPTED this ____ day of February, by the following vote:

AYES:

NOES:

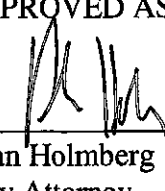
ABSENT:

ATTEST:

Daniel Martinez
City Clerk

Dr. Thomas E. Holden
Mayor

APPROVED AS TO FORM:



Alan Holmberg
City Attorney

**EXHIBIT A
CITY OF OXNARD
CONFLICT OF INTEREST CODE**

**APPENDIX I
LIST OF DESIGNATED POSITIONS AND
APPLICABLE DISCLOSURE CATEGORIES**

POSITION	DISCLOSURE CATEGORY
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Elected Officials, Boards and Commissioners, Consultants and Acting Positions

Mayor	As required by State law
Councilmember	As required by State law
Consultant / New Position	1, 2 ¹
Downtown Design Review Committee Member	1, 2
Finance Authority Board Member	1, 2
Hearing Officer	1, 2
Housing Authority Commissioner	1, 2
Planning Commissioner	As required by State law
Mobilehome Park Rent Review Board Member	2, 6
Performing Arts Center Corporation Board of Directors Member	5, 6
Acting Positions	Subject to same disclosure requirements as position performed

City Attorney's Office

City Attorney	As required by State law
Assistant City Attorney	1, 2
Deputy City Attorney	1, 2
Law Office Manager	5

City Clerk's Office

City Clerk	5
Assistant City Clerk	5

¹ In accordance with 2 Cal. Code Regs. §18734(b), consultants and newly created positions shall file under the broadest disclosure category in the agency's conflict-of-interest code until the agency amends its code to reflect the position, provided, however, that the City Manager, in consultation with the City Attorney, may determine that the broadest disclosure is not necessary and set interim disclosure that is more tailored to positions with a limited range of duties. This determination shall include a description of the position's duties and, based upon that description, a statement of the extent of disclosure requirements.

City Treasurer's Office

City Treasurer	As required by State law
Assistant City Treasurer	As required by State law (manages public investments)
Revenue Account Manager	6

City Manager's Office

City Manager	As required by State law
Assistant City Manager	1, 2
Deputy City Manager	1, 2
Special Assistant to City Manager	1, 2
Facilities Maintenance Supervisor	5
Facilities Services Manager	5
Fleet Services Manager	5
Fleet Services Supervisor	5
Geographic Information Systems Coordinator	5
Legislative Affairs Manager	1, 2
Maintenance Services Manager	2, 3, 5
Management Analyst III	4
Network Services Coordinator	5
Parks Maintenance Supervisor	5
Parks Manager	2, 3, 5
Project Manager	2, 3, 4
Public Information Officer	1, 2
Systems Administrator	5
Telecommunications Coordinator	5

Community Development Department

Community Development Director	1, 2
Redevelopment Services Manager	2, 3
Redevelopment Project Manager	2, 3
Management Analyst II	2, 3

Development Services Department

Development Services Director	1, 2
Development Services Manager	1, 2
Planning and Environmental Services Manager	1, 2
Management Analyst II	5
Plan Check Engineer	3, 5, 6
Supervising Civil Engineer	3, 5, 6
Junior Civil Engineer	3, 5, 6

Supervising Building Inspector	3, 5, 6
Deputy Building Official	3, 5, 6
Principal Planner	2, 3, 5, 6
Associate Planner	2, 3, 5, 6
Assistant Planner	2, 3, 5, 6
Junior Planner	2, 3, 5, 6
Project Manager	2, 3, 4, 6

Finance Department

Chief Financial Officer	1, 2
Accounting Manager	5
Accounting Manager (Purchasing)	4
Buyer	4
Controller	5
Financial Services Manager	5, 3

Fire Department

Fire Chief	1, 2
Assistant Fire Chief	1, 2
Battalion Chief	5, 6
CUPA Coordinator	5, 6
EMS Coordinator	5
Disaster Preparedness Coordinator	5

Housing Department

Housing Director	1, 2
Accounting Manager	1
Grants Coordinator	5
Housing Contract Administrator	4
Housing Financial Officer	As required by State law (manages public investments)
Housing Program Manager	6
Housing Program Supervisor	6
Housing Maintenance Superintendent	5
Housing Maintenance Supervisor	5
Housing Modernization Superintendent	5
Housing Rehabilitation Program Manager	2, 3
Housing Engineer	3, 5
Homeless Assistance Program Coordinator	5, 6
Compliance Services Manager	1, 2
Management Analyst I/II/III	3

Human Resources Department

Human Resources Director	1, 2
Human Resources Manager	5
Recruitment Supervisor	5
Workers' Compensation Manager	5

Library Department

Library Director	1
Library Services Supervisor	5
Library Circulation Supervisor	5
Library System Analyst	5
Management Analyst I	5

Recreation and Community Services Department

Leisure & Recreation Superintendent	1, 2
Management Analyst III	5, 6
Recreation Supervisor	5, 6
Community Services Manager	5, 6
Management Analyst I/II	5, 6

Police Department

Police Chief	1, 2
Assistant Police Chief	1, 2
Police Commander	5
Police Financial Manager	5
Code Compliance Manager	6
Community Affairs Manager	5

Public Works Department

Public Works Director	1, 2
Utility Services Manager	1, 2
Design and Construction Services Manager	1, 2
Administrative Services Manager	5
Traffic Engineer	1, 2
Management Analyst II/III	5
Water Programs Manager	5
Water Resources Manager	2, 5, 6
Solid Waste Superintendent	5, 6
Construction & Maintenance Engineer	1, 2
Streets Maintenance Supervisor	5
Recycling Manager	5

Streets Manager	5
Public Works Construction Manager	5
Chief Operator	5
Wastewater Operations Manager	5
Wastewater Maintenance Manager	5
Technical Services Manager	6

**EXHIBIT B
CITY OF OXNARD
CONFLICT OF INTEREST CODE**

**APPENDIX II
DISCLOSURE CATEGORIES**

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the City.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in development, construction, appraisal, or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type utilized by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit, or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are subject to the regulatory, permit, or licensing authority of the designated position's department, unit, or division.

MINUTES

OXNARD FINANCING AUTHORITY

Regular Meeting

January 10, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard Financing Authority convened in the Council Chambers, concurrently with the City Council, Community Development Commission and Housing Authority. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard Financing Authority for November 8, and 15, and December 6 and 13, 2011. (001)

RECOMMENDATION: Approve.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (Holden/ Pinkard)
Ayes: Holden, Pinkard, MacDonald, Flynn and Ramirez.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION/HOUSING AUTHORITY

At 10:18 p.m. the joint meetings with the City Council, Community Development Commission and Housing Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:18 p.m. the Financing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD FINANCING AUTHORITY

Regular Meeting

January 24, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD FINANCING AUTHORITY

Regular Meeting

February 7, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting
December 13, 2011

A. ROLL CALL/POSTING OF AGENDA

At 7:14 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council and Community Development Commission. Commissioners Thomas E. Holden, Bryan A. MacDonald, Timothy B. Flynn, Carmen Ramirez, Jose Andrade and Francisco Vega were present. Vice-Chairperson Irene G. Pinkard was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

2. SUBJECT: Minutes of the Regular Meeting of the Oxnard Housing Authority of November 8 and 15, 2011, and December 6, 2011. (005)

RECOMMENDATION: Approve.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (Andrade/Vega)
Ayes: Holden, MacDonald, Flynn, Ramirez, Andrade and Vega. Absent: Pinkard.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

COMMUNITY DEVELOPMENT COMMISSION

At 9:02 p.m. the joint meetings with the Community Development Commission concluded.

N. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL

At 9:44 p.m. the joint meetings with the City Council concluded.

O. REPORTS

4. SUBJECT: Issuance of Housing Authority Multifamily Mortgage Revenue Note for Las Villas de Paseo Nuevo, located at 5637 to 5727 Cypress Road. (307)

RECOMMENDATION: Adopt **Resolution No. 1256** authorizing the issuance of a revenue note in a principal amount of up to \$15,000,000 to finance the acquisition and construction of Las Villas de Paseo Nuevo, authorizing each of the Chairman, the Vice Chairman and the Executive Director to execute a Note, a Funding Loan Agreement (A-7460), a Borrower Loan Agreement (7461), and the Regulatory Agreement and Declaration of Restrictive Covenants (A-7462) in connection therewith, and authorizing the execution of other related documents and actions.

DISCUSSION: Paul Thimming, Bond Counsel of Quint & Thimming, LLP, reviewed the loan agreement, bond structure and partnership with Housing Authority.

ACTION: Approved as recommended (MacDonald/Holden) Ayes: Flynn, Ramirez, Andrade, Vega, Holden, and MacDonald. Absent: Pinkard.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:44 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

January 10, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council; Community Development Commission; and Financing Authority. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, Carmen Ramirez, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

Housing Department

8. SUBJECT: Colonia Multi-Service Center Building Lease. (065)

RECOMMENDATION: Approve and authorize the Housing Director to execute a Third Amendment to the Multi-Service Center Building Lease 2005 by and between the City of Oxnard ("Lessor") and the Housing Authority of the City of Oxnard, ("Housing Authority").

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (Andrade/Vega)
Ayes: Holden, Pinkard, MacDonald, Flynn, Ramirez, Andrade and Vega.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGSM. REPORT OF SECRETARYN. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTSCITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION/ FINANCING AUTHORITY

At 10:18 p.m. the joint meetings with the City Council, Community Development Commission, and Financing Authority concluded.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 10:18 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

January 24, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:18 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council and Community Development Commission. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, Carmen Ramirez, and Jose Andrade were present. Commissioner Francisco Vega was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Secretary; and William "Bill" Wilkins, Housing Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

Housing Department

7. SUBJECT: Las Villas de Paseo Nuevo Affordable Housing Project located at 5637 to 5627 Cypress Road, Oxnard, California. (029)

RECOMMENDATION: Adopt **Resolution No. 1257** authorizing the Housing Authority's Executive Director or designee to execute and take all needed actions in consultation with Housing Authority's general counsel relative to entering into an agreement of limited partnership, development agreement, guaranty agreement, pledge and security agreement, indemnity agreement, management agreement, right of first refusal/purchase option agreement and any other agreements for the purpose of developing, maintaining and operating the Las Villas de Paseo Nuevo affordable housing project.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (MacDonald/Andrade) Ayes: Holden, Pinkard, MacDonald, Flynn, Ramirez, and Andrade. Absent: Vega.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSM. REPORT OF SECRETARYN. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTSO. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONCITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 8:31 p.m. the joint meetings with the City Council and Commission Development Commission concluded.

T. ADJOURNMENT

At 8:31 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

February 7, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson



Meeting Date: 2/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☒ Other Council Business

Prepared By: Karen R. Bunham, Interim City Manager

Agenda Item No. **I-3**

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: February 8, 2012

TO: City Council

FROM: Karen R. Burnham, Interim City Manager
City Manager's Office

SUBJECT: Agreements for City Council Review

RECOMMENDATION

That City Council, pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

DISCUSSION

On November 16, 2010, the City Council approved changes to the City's Purchasing Procedures reducing the threshold for City agreements/contracts and change orders/amendments requiring City Council approval to \$25,000. The agreements/contract and change orders/amendments described on the attached list involve amounts above \$25,000 and up to \$250,000.

FINANCIAL IMPACT

Funding information is included on the attached list.

Attachment - #1 – List of Agreements/Contracts and/or Change Orders/Amendments

NOTE: Copies of the agreement/contracts and change orders/amendments on the list are available in the City Clerk's Office after 8:00 a.m. on Friday prior to the Council meeting.



Meeting Date: 02/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: *MMH*
Grace Magistrale Hoffman

Agenda Item No. **I-4**

Reviewed By: City Manager *[Signature]*

City Attorney *[Signature]*

Finance *[Signature]*

Other (Specify) _____

DATE: February 6, 2012

TO: City Council

FROM: Grace Magistrale Hoffman, Deputy City Manager, City Manager's Office

SUBJECT: Ordinance Establishing Tobacco Retailer Permits

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance establishing a local licensing system for tobacco retailers.

DISCUSSION

In order to reduce illegal sales of tobacco products to minors, many cities and counties in California have adopted local tobacco retailer licensing ordinances. A proposed ordinance for the City has been developed as a result of a multi-departmental team consisting of the Police Department, the City Attorney's Office, Licensing Division, and the City Manager's Office.

The proposed ordinance includes the following major components:

- All tobacco product retailers must obtain a non-transferrable license.
- Retailers will pay an annual licensing fee that covers program costs, including administration.
- Coordinates tobacco regulations so that a violation of any existing local, state or federal tobacco regulation violates the license.
- Provides a financial deterrent through fines and penalties including the suspension and revocation of the license.

To date, over 100 communities throughout the State have passed tobacco retailer licensing laws. A local licensing system for tobacco retailers is recommended to ensure that retailers comply with tobacco control laws and reduce youth access to tobacco products. Despite efforts to limit youth access to tobacco, minors are still able to access cigarettes, as evidenced by the following statewide statistics:

Ordinance Establishing Tobacco Retailer Permits

February 7, 2012

Page 2

- Each day, more than 3,500 children under 18 years of age smoke their first cigarette, and each day approximately 1,000 children under 18 years of age begin to smoke daily.
- Ninety percent of all adult smokers begin while in their teens, or earlier, and two-thirds become regular, daily smokers before they reach the age of 19.
- 20.1 percent of high school students are current smokers by the time they leave high school.
- Experts maintain that smoking during youth is associated with an increased likelihood of using illegal drugs.

Surveys show that rates of illegal tobacco sales to minors have decreased in California communities which have passed strong retailer licensing ordinances.

City staff has worked closely with the Ventura County Public Health Tobacco Education Program to develop the proposed ordinance. In addition, City staff met with the Oxnard Chamber of Commerce Business Advocacy Committee on January 9, 2012, to present and discuss the proposed ordinance. The full board of the Chamber of Commerce took action on January 26, 2012, to support the local tobacco retailers licensing ordinance. (Although there was some concern about “smoke-free zones” expressed by the Business Advocacy Committee, this is not a component of the proposed ordinance.)

FINANCIAL IMPACT

The proposed tobacco retailer permit fees are based on a cost recovery basis. The proposed cost for the original application fee is \$69, and the annual renewal fee is \$51. There are approximately 190 tobacco retailers in the City of Oxnard.

Attachment #1 - Ordinance Establishing Tobacco Retailer Permits

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. __

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
ADDING ARTICLE XIV TO CHAPTER 11 OF THE OXNARD CITY
CODE CONCERNING TOBACCO RETAILER PERMITS

The City Council of the City of Oxnard makes the following findings:

1. The failure of tobacco retailers to comply with all tobacco control laws, particularly laws prohibiting the sale of tobacco products to minors, presents an imminent threat to the public health, safety, and welfare of the residents of the City of Oxnard.

2. A local licensing system for tobacco retailers is appropriate to ensure that retailers comply with tobacco control laws and business standards of the City of Oxnard to protect the health, safety, and welfare of our residents.

3. The California Legislature has recognized the danger of tobacco use and has made reducing youth access to tobacco products a high priority, as evidenced by the following facts:

- The Legislature has declared that smoking is the single most important source of preventable disease and premature death in California (Cal. Health & Safety Code § 118950).
- State law prohibits the sale or furnishing of cigarettes, tobacco products, and smoking paraphernalia to minors, as well as the purchase, receipt, or possession of tobacco products by minors (Cal. Pen. Code § 308).
- State law requires that tobacco retailers check the identification of tobacco purchasers who reasonably appear to be under 18 years of age (Cal. Bus. & Prof. Code § 22956) and provides procedures for using minors to conduct onsite compliance checks of tobacco retailers (Cal. Bus. & Prof. Code § 22952).
- State law prohibits the sale of tobacco products and paraphernalia through self-services displays with limited exceptions for tobacco stores (Cal. Bus. & Prof. Code § 22960).
- State law prohibits the sale of “bidis” (hand-rolled filter-less cigarettes imported primarily from India and Southeast Asian countries) except in adult-only establishments (Cal. Pen. Code § 308.1).
- State law prohibits the manufacture, distribution, or sale of cigarettes in packages of less than 20 and prohibits the manufacture, distribution, or

sale of "roll-your-own" tobacco in packages containing less than 0.60 ounces of tobacco (Cal. Pen. Code § 308.3).

4. State law requires all tobacco retailers to be licensed by the Board of Equalization primarily to curb the illegal sale and distribution of cigarettes due to tax evasion and counterfeiting (Cal. Bus. & Prof. Code §§ 22970.1, 22972).

5. State law explicitly permits cities and counties to enact local tobacco retail licensing ordinances and allows for the suspension or revocation of a local license for a violation of any state tobacco control law (Cal. Bus. & Prof. Code § 22971.3).

6. Despite the state's efforts to limit youth access to tobacco, minors are still able to access cigarettes, as evidenced by the following facts:

- Each day, more than 3,500 children under 18 years of age smoke their first cigarette, and each day approximately 1,000 children under 18 years of age begin to smoke daily.
- Ninety percent of all adult smokers begin while in their teens, or earlier, and two-thirds become regular, daily smokers before they reach the age of 19.
- 20.1% of high school students are current smokers by the time they leave high school.
- Smoking during youth is associated with an increased likelihood of using illegal drugs.

7. Approximately 78 cities and counties in California have passed tobacco retailer licensing ordinances in an effort to stop minors from smoking.

8. Surveys show that rates of illegal tobacco sales to minors have decreased in California communities which have passed strong retailer licensing ordinances.

9. In the City of Oxnard, tobacco retailers continue to sell tobacco to underage consumers, as evidenced by the following facts:

- From July 2009 to April 2010 the Ventura County Public Health Tobacco Education Program partnered with the Oxnard Revival Center to conduct Youth Purchase Surveys in the City of Oxnard to gather data on compliance rates.
- Of the 146 tobacco retailers surveyed, 38 sold tobacco products to youths, resulting in a 26% sales rate.

- In 71% of the attempts, the youths were not asked their age, and in 24%, they were not asked for identification.

10. A requirement for a tobacco retailer permit will not unduly burden legitimate business activities of retailers who sell or distribute cigarettes or other tobacco products to adults but will allow the City of Oxnard to regulate the operation of lawful businesses to discourage violations of federal, state, and local tobacco-related laws.

11. The City of Oxnard has a substantial interest in promoting compliance with federal, state, and local laws intended to regulate tobacco sales and use, in discouraging the illegal purchase of tobacco products by minors, in promoting compliance with laws prohibiting sales of cigarettes and tobacco products to minors, and in protecting children from being lured into illegal activity through the misconduct of adults.

NOW THEREFORE, because it is the intent of the City Council of the City of Oxnard, in enacting this ordinance, to ensure compliance with the business standards and practices of the City of Oxnard and to encourage responsible tobacco retailing and to discourage violations of tobacco-related laws, especially those which prohibit or discourage the sale or distribution of tobacco and nicotine products to minors, but not to expand or reduce the degree to which the acts regulated by federal or state law are criminally proscribed or to alter the penalties provided therein, the City Council of the City of Oxnard does ordain as follows:

Part 1. Article XIV is hereby added to Chapter 11 of the Oxnard City Code to read as follows:

“ARTICLE XIV. TOBACCO RETAILERS

SEC. 11-370. DEFINITIONS.

For the purposes of this article, the following words shall have the following meanings:

(A) **ARM’S LENGTH TRANSACTION** – A sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither of which is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for which a significant purpose is avoiding the effect of the violations of the article is not an Arm’s Length Transaction.

(B) **COLLECTOR** – The city treasurer or designee.

(C) **PERSON** – Any natural person, partnership, cooperative association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

(D) PROPRIETOR – A person with an ownership or managerial interest in a business. An ownership interest shall be deemed to exist when a person has a ten percent (10%) or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt. A managerial interest shall be deemed to exist when a person can or does have or share ultimate control over the day-to-day operations of a business.

(E) SELF-SERVICE DISPLAY – The open display or storage of tobacco products or tobacco paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service-display.

(F) SMOKING – Possessing a lighted tobacco product, lighted tobacco paraphernalia, or any other lighted weed or plant (including a lighted pipe, cigar, hookah pipe, or cigarette of any kind) and the lighting of a tobacco product, tobacco paraphernalia, or any other weed or plant (including a pipe, cigar, hookah pipe, or cigarette of any kind).

(G) TOBACCO PARAPHERNALIA – Cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the smoking, preparation, storing, or consumption of tobacco products.

(H) TOBACCO PRODUCT – Any substance containing tobacco leaf, including but not limited to cigarettes, e-cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, snus, bidis, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

(I) TOBACCO RETAILER – Any person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia.

(J) TOBACCO RETAILING – Selling, offering for sale, or exchanging or offering to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity of tobacco, tobacco products, or tobacco paraphernalia sold, offered for sale, exchanged, or offered for exchange.

SEC. 11-371. TOBACCO RETAILER PERMIT REQUIRED; COMPLIANCE WITH OTHER LAWS.

(A) No person shall act as a tobacco retailer without first obtaining and maintaining a valid tobacco retailer's permit pursuant to this article for each location at which such activity is to occur.

(B) Each tobacco retailer permit shall be posted in a conspicuous public location at the place of business for which the permit has been issued.

(C) A business tax certificate shall be obtained pursuant to section 11-4 of this code before any permit is issued pursuant to this section. The issuance of a permit shall not eliminate compliance with any other requirements, including the requirement for another permit, certificate or clearance, imposed by any other local, state, or federal rule, regulation, or law.

SEC. 11-372. TERM; FEES.

(A) A tobacco retailer permit shall be valid for 12 months from the date of issuance or as indicated on the permit and shall specify the location where tobacco retailing may be held.

(B) Fees for such permits shall be established by resolution of the city council.

SEC. 11-373. RESTRICTIONS.

(A) No person engaged in tobacco retailing shall sell or transfer a tobacco product or tobacco paraphernalia to another person who appears to be under the age of twenty-seven (27) years without first examining the identification of the recipient to confirm that the recipient is at least the minimum age under state law to purchase and possess the tobacco product or tobacco paraphernalia.

(B) No person who is younger than the minimum age established by state law for the purchase or possession of tobacco products shall engage in tobacco retailing.

(C) Tobacco retailing by means of a self-service display is prohibited.

(D) A tobacco retailer or proprietor without a valid tobacco retailer permit shall comply with the following requirements:

(1) All tobacco products and tobacco paraphernalia shall be kept out of public view.

(2) Advertisements relating to tobacco products or tobacco paraphernalia that promote the sale or distribution of such products from the tobacco retailer's location or that could lead a reasonable consumer to believe that such products can be obtained at that location shall not be displayed.

(E) Tobacco retailing at other than a fixed location is prohibited.

SEC. 11-374. PERMIT APPLICATION PROCEDURES.

(A) An application for a tobacco retailer permit shall be submitted on a form supplied by the collector, signed by each proprietor or an authorized agent thereof, and shall contain the following information:

(1) The name, title, address, and telephone number of each proprietor of the business seeking a permit.

(2) The business name, address, and telephone number of the single fixed location for which a permit is sought.

(3) A single name and mailing address authorized by each proprietor to receive all communications and notices required by, authorized by, or convenient to the enforcement of this article.

(4) Proof that the location for which a tobacco retailer permit is sought has been issued a valid state tobacco retailer's license by the California Board of Equalization, if applicable.

(5) The dates and locations of any admitted violations of this article or of any tobacco permit requirement by any proprietor or any agent of the proprietor and the dates and locations of any violations of this article or of any tobacco permit requirement found to have been committed by any proprietor or any agent of the proprietor within the previous five years.

(6) Such other information as the collector deems necessary for the administration or enforcement of this article as specified on the application form required by this section.

(B) A permitted tobacco retailer shall inform the collector in writing of any change in the information submitted on an application for a tobacco retailer permit within 10 business days of such change.

SEC. 11-375. ISSUANCE OF PERMIT.

Upon receipt of a completed application for a tobacco retailer permit and the applicable permit fee, the collector shall issue a permit, after receiving input from appropriate city departments, unless substantial evidence demonstrates that one or more of the following bases for denial exists:

(A) The information presented in the application is inaccurate or false.

(B) The application seeks authorization for tobacco retailing at a location for which this article prohibits issuance of tobacco retailer permits. This subsection shall not constitute a basis for denial of a permit if the applicant provides to the collector

documentation demonstrating by clear and convincing evidence that the applicant has acquired or is acquiring the location or business in an arm's length transaction.

(C) The application seeks authorization for tobacco retailing for a proprietor to whom this article prohibits a permit to be issued.

(D) The application seeks authorization for tobacco retailing that is prohibited pursuant to this article, that is unlawful pursuant to this code, or that is unlawful pursuant to any other law.

SEC. 11-376. PERMIT RENEWAL.

(A) An application for the renewal of a tobacco retailer permit shall be submitted to the collector, along with the permit renewal fee as established by resolution of the city council, no later than 30 days prior to the expiration of the permit.

(B) A tobacco retailer permit that is not timely renewed shall expire at the end of its term. To renew a permit not timely renewed pursuant to subsection (A) of this section, the proprietor(s) must provide the following:

(1) An application for a new tobacco retailer permit along with the new application permit fee as established by resolution of the city council; and

(2) A signed affidavit affirming that the proprietor has not sold and will not sell any tobacco product or tobacco paraphernalia after the permit expiration date and before a new permit is issued or has waited the appropriate ineligibility period established for tobacco retailing without a permit, as set forth in section 11-379 of this code, before seeking a new permit.

SEC. 11-377. PERMITS NONTRANSFERABLE.

(A) A tobacco retailer permit may not be transferred from one person to another or from one location to another.

(B) A new tobacco retailer permit is required when a tobacco retailing location has a change in proprietor.

(C) Notwithstanding any other provision of this article, prior violations at a location shall continue to be counted against a location and permit ineligibility periods shall continue to apply to a location unless:

(1) The location has been fully transferred to a new proprietor or fully transferred to entirely new proprietors; and

(2) The new proprietor or proprietors provide the collector with clear and convincing evidence that the new proprietor or proprietors have acquired or are acquiring the location in an arm's length transaction.

SEC. 11-378. MODIFICATION, SUSPENSION, OR REVOCATION OF PERMIT.

(A) In addition to any other penalty authorized by law, a tobacco retailer permit may be modified, suspended, or revoked by the collector, after notice and an opportunity to be heard as set forth in article V of chapter 1 of this code, for failure of the permittee, or any of the permittee's agents or employees, to comply with applicable local, state, or federal rules, regulations, or laws concerning tobacco retailing, based on matters occurring after the permit is issued or on matters not considered at the time of issuance of the permit that would have authorized denial of the permit or the imposition of conditions on the permit.

(B) Any person, including a city officer or employee, may file with the collector a written request for revocation, suspension, or modification of a tobacco retailer permit, stating facts showing that the permittee, or any of the permittee's agents or employees, failed to comply with applicable rules, laws, regulations, or permit conditions.

(C) If the request is filed by a city officer or employee on behalf of a city department, the request shall be accompanied by a written report, stating wherein the permittee, or any of the permittee's agents or employees, has not complied with applicable rules, laws, regulations, or permit conditions and recommending that the tobacco retailer permit be revoked, suspended, or in what respect the permit should be modified.

(D) After revocation, no new permit may issue for the same location until the following time:

(1) Thirty (30) days from the date of revocation for a first violation at a location within any five year period.

(2) Sixty (60) days from the date of revocation for a second violation at a location within any five year period.

(3) Ninety (90) days from the date of revocation for a third violation at a location within any five year period.

(4) One (1) year from the date of revocation for a fourth or any subsequent violation at a location within any five year period.

(E) A tobacco retailer permit shall be revoked if the collector finds, after the permittee is afforded notice and an opportunity to be heard as set forth in article V of chapter 1 of this code, that one or more of the bases for denial of a permit under section

11-375 of this code existed at the time application was made or at any time before the permit issued. The decision by the collector shall be final.

SEC. 11-379. TOBACCO RETAILING WITHOUT A PERMIT.

(A) In addition to any other penalty authorized by law, if a court of competent jurisdiction determines, or the collector finds based on a preponderance of evidence, after notice and an opportunity to be heard as set forth in article V of chapter 1 of this code, that any person has engaged in tobacco retailing at a location without a valid tobacco retailer permit, either directly or through the person's agents or employees, the person shall be ineligible to apply for, or to be issued, a tobacco retailing permit as follows:

(1) After a first violation of this section at a location within any five year period, no new permit may issue for the person or the location, unless ownership of the business at the location has been transferred in an arm's length transaction, until 30 days have passed from the date of the violation.

(2) After a second violation of this section at a location within any five year period, no new permit may issue for the person or the location, unless ownership of the business at the location has been transferred in an arm's length transaction, until 90 days have passed from the date of violation.

(3) After a third or subsequent violation of this section at a location within any five year period, no new permit may issue for the person or the location, unless ownership of the business at the location has been transferred in an arm's length transaction, until one year has passed from the date of the violation.

(B) Tobacco products and/or tobacco paraphernalia offered for sale or exchange in violation of this section are subject to seizure by the collector or any peace officer and shall be forfeited after the permittee and any other owner of the tobacco products and/or tobacco paraphernalia seized is given reasonable notice and an opportunity to demonstrate, as set forth in article V of chapter 1 of this code, that the tobacco products and/or tobacco paraphernalia were not offered for sale or exchange in violation of this article. Forfeited tobacco products and/or tobacco paraphernalia shall be destroyed after all internal appeals have been exhausted and the time in which to seek judicial review pursuant to California Code of Civil Procedure section 1094.6 or other applicable law has expired without the filing of a lawsuit, or if such a suit is final, after judgment in that suit becomes final.

SEC. 11-380. ENFORCEMENT.

(A) The remedies provided by this article are cumulative and in addition to any other remedies available at law or in equity.

(B) Whenever evidence of a violation of this article is obtained in any part through the participation of a person under the age of eighteen (18) years old, such a

person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this article and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.

(C) Violations of this article are hereby declared to be public nuisances.

(D) In addition to other remedies provided by this article or by other law, any violation of this article may be remedied by a civil action brought by the City Attorney, including, but not limited to, administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief."

Part 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. _____ was first read on _____, 20__ and finally adopted on _____, 20__ to become effective thirty days thereafter.

AYES:

NOES:

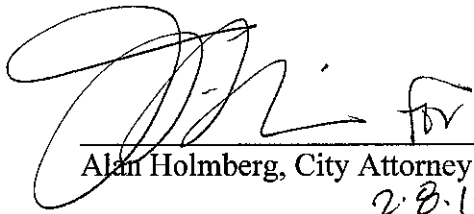
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney
2.8.12



Meeting Date: 2/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☒ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Kymerly Horner *KH*Agenda Item No. **I-5**Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____**DATE:** February 8, 2012**TO:** Community Development Commission Successor Agency *Kymerly Horner (for)***FROM:** Curtis P. Cannon, Community Development Director
Community Development Department**SUBJECT:** Adoption of a Draft Recognized Obligation Payment Schedule ("ROPS") Pursuant to the Provisions of ABx1 26**RECOMMENDATION**

That the Community Development Commission Successor Agency ("Successor Agency") in accordance with the requirements of ABx1 26, passed by the State legislature on June 15, 2011, and signed into law by the Governor on June 29, 2011, adopt a resolution approving a Draft ROPS, setting forth a schedule of payments for obligations of the Successor Agency.

DISCUSSION

ABx1 26 defines a ROPS as a document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period. The Draft ROPS identifies each enforceable obligation on which payments will be required during the period of January 1, 2012 through June 30, 2012, and the minimum payment amounts and due dates of payments required by each enforceable obligation. The Draft ROPS includes inter-agency agreements and the cooperation agreement between the City and the Community Development Commission.

The Draft ROPS begins on page three of the attached resolution. Staff has been inclusive in its interpretation of what should be listed. The Draft ROPS has been prepared to satisfy the requirements of ABx1 26, and is not a document creating obligations. For example, some payments are listed as contingent, and will become due only upon the occurrence of certain events.

FINANCIAL IMPACT

Adoption of the Draft ROPS does not itself create obligations and has no financial impact.

Attachment #1 - Resolution of the Community Development Commission Successor Agency Adopting
a Draft Recognized Obligations Payment Schedule

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

RESOLUTION NO. _____

RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION
SUCCESSOR AGENCY ADOPTING A DRAFT RECOGNIZED OBLIGATION
PAYMENT SCHEDULE

THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR
AGENCY HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

WHEREAS, Assembly Bill x1 26 ("AB 26") and AB x1 27 ("AB 27") were passed
by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, among other things, AB 26 amends Sections 33500, 33501, 33607.5 and
33607.7 of the California Health and Safety Code and adds Part 1.8 and Part 1.85 to the
California Health and Safety Code; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code,
subject to all reservations herein stated, the Community Development Commission was
dissolved as of February 1, 2012 such that the Community Development Commission shall
be deemed as a former redevelopment agency under Health and Safety Code section
34173(a); and

WHEREAS, Health and Safety Code section 34173(a) designates successor agencies
as successor entities to former redevelopment agencies; and

WHEREAS, on January 10, 2012, by Resolution 14,135, the City Council of the City
of Oxnard declared itself as the successor agency upon the dissolution of the Community
Development Commission, subject to all reservations stated in such resolution; and

WHEREAS, California Health and Safety Code Section 34169(h) provides that a
successor agency must prepare a Draft Recognized Obligation Payment Schedule (the
"ROPS") on or before November 1, 2011; and

WHEREAS, the California Supreme Court in California Redevelopment Association
v. Matosantos, Case No. S194861 upheld the constitutionality of ABx1 26 and established
March 1, 2012 as the date by which the draft ROPS must be prepared; and

WHEREAS, the Draft ROPS identifies each enforceable obligation on which
payments will be required during the period of January 1, 2012 through June 30, 2012 and
identifies the minimum payment amounts and due dates of payments required by each such
enforceable obligation; and

NOW, THEREFORE, Oxnard Community Development Commission Successor
Agency resolves:

Section 1. The Oxnard Community Development Commission Successor
Agency hereby finds and determines that the foregoing recitals are true and correct.

Section 2. All legal prerequisites to the adoption of this Resolution have occurred.

Section 3. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB 26 through administrative or judicial proceedings.

Section 4. The attached Draft ROPS is hereby adopted.

Section 5. The Successor Agency's Executive Director, or designee, is hereby authorized to take such actions as are necessary and appropriate to comply with AB 26 and the Modified Stay.

Section 6. This Resolution shall take effect immediately upon its adoption.

Section 7. The Successor Agency's Secretary Designate shall certify as to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2012, by the following vote:

AYES:

NOES:

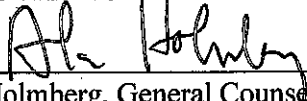
ABSENT:

Dr. Thomas E. Holden, Chairman

ATTEST:

Daniel Martinez, Secretary Designate

APPROVED AS TO FORM:



Alan Holmberg, General Counsel

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)
 January 1, 2012 - June 30, 2012

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt at Obligation	Total Due During Fiscal Year	Payments by month						Total	
						Jan	Feb	March	April	May	June		
CCRP Tax Allocation Refunding Bond	Tax Increment CCRP	Wells Fargo	Downtown Infrastructure, Capital Improvement Projects and Expense Program	13,975,000.00	2,438,188.00							1,068,067.00	1,935,133.75
1) 2004	Tax Increment - CCRP/DIT	City of Orland General Fund	Development of Project Area	8,265,215.36	8,265,215.36			313,098.75				\$ 8,265,215.36	\$ 8,265,215.36
2) CCRP City Advances Long Term	Tax Increment - CCRP/DIT	City of Orland General Fund	Downtown Projects, Programs and Activities	635,880.00	635,880.00								635,880.00
3) CCRP City Advances Short Term	Tax Increment - CCRP/DIT	City of Orland General Fund	Acquisition of Property in the Downtown	2,028,922.00	2,028,922.00								2,028,922.00
4) CCRP City Advances Short Property	Tax Increment - CCRP/DIT	Ventura County Auditor	Taxes on Heritage Square Property	65,262.00	65,262.00								65,262.00
5) CCRP County Property Tax	Tax Increment - CCRP	Controller	Property Based Maintenance District	423,410.24	139,000.00	68,475.50							68,475.50
6) CCRP Assessment District Payment	Tax Increment - CCRP/DIT	Ox. Downtown Maint. District	Homeowner Dues Heritage Square	43,000.00	43,000.00								43,000.00
7) CCRP Homeowner Property Dues	Tax Increment - CCRP/DIT	Heritage Square HSPOA	Project Area Development	1,139,572.00	1,139,572.00								
8) Downtown City Advance Long Term Loan	Tax Increment - DT	City of Orland General Fund	Downtown Theater lease guarantee	26,712,000.00	1,336,600.00	111,300.00	111,300.00	111,300.00	111,300.00	111,300.00	111,300.00	111,300.00	687,800.00
9) Downtown Leases Guarantees Pmt 50%	Tax Increment - SW	Orland Theater Group	Street Reconstruction Bond	2,650,000.00	336,021.00								336,021.00
10) Southwinds Tax Allocation Bond 2006	Tax Increment SW	Wells Fargo	Project Area Programs and Activities	430,560.00	430,560.00								430,560.00
11) Southwinds City Advances Short Term	Tax Increment - SW	City of Orland General Fund	Street Reconstruction Project	5,160,000.00	243,376.13								243,376.13
12) Ormond Beach Tax Alloc Bond 2006	Tax Increment OB	Wells Fargo	Street Reconstruction Project	10,415,000.00	783,154.00								783,154.00
13) HERO Tax Alloc Bond 2006	Tax Increment HERO	Wells Fargo	RiverPark Parking Structure Infrastructure	11,445,000.00	1,184,657.00								1,184,657.00
14) HERO Tax Alloc Bond 2006	Tax Increment HERO	Wells Fargo	Tax Increment Tax Sharing Payments	3,461,401.00	356,000.00	356,000.00							356,000.00
15) HERO DDA Expedited Re-use Project	Tax Increment - HERO	Home Depot Development of Midway IC	Infrastructure Improvements New Develop	10,000,000.00	1,000,000.00								1,000,000.00
16) HERO RiverPark CPA	Tax Increment - HERO & Sub-Aside	RiverPark A. Shea Homes	Wagon Wheel Affordable Housing Loan	25,000,000.00	12,500,000.00								12,500,000.00
17) HERO Wagon Wheel "The Village"	HERO & Sub-Aside	Orland CRR Partners, LLC	Colonial House Affordable Housing Project	4,200,000.00	4,200,000.00								4,200,000.00
18) HERO Colonial House	HERO & Sub-Aside	Pacific West Communities	Affordable Housing Project Cypress	5,000,000.00	5,000,000.00								5,000,000.00
19) HERO Paseo Nuevo	HERO & Sub-Aside	Paseo Nuevo LP	Affordable Housing Project	350,000.00	200,000.00								200,000.00
20) Cuesta Del Mar Housing Project	SW & Sub-Aside	Housing Authority	Affordable Housing Loan	1,650,000.00	1,650,000.00								1,650,000.00
21) HERO EDKOH Affordable Housing	DT & Sub-Aside	Ed KOH & Sonata Apts. Sonata	Affordable Housing Assistance	250,000.00	250,000.00								250,000.00
22) 7th and Main Affordable Housing	Set-Aside	Housing Authority	Federal Match Requirement	350,000.00	350,000.00								350,000.00
23) Home 25% Match	HERO & Sub-Aside	Affordable Housing Loan	Funds for Affordable Project	500,000.00	500,000.00								500,000.00
24) HERO Affordable Housing	HERO & Sub-Aside	Affordable Housing Project	New Wheel Chair Lift for CDC owned	80,000.00	80,000.00								80,000.00
25) HERO Home Buyer	Tax Increment - DT	Contractor/City	Heritage Square Reimbursement	160,000.00	160,000.00								160,000.00
26) McGeath Wheel Chair Lift	Tax Increment - DT & CCRP	Gary Blum, JS Decants		9,489.00	9,489.00								9,489.00
27) Heritage Square Program	Tax Increment - DT	Supernova, LLC		9,489.00	9,489.00								9,489.00
28) Heritage Square Facility Rental Program	Tax Increment - DT	Verizon California		9,489.00	9,489.00								9,489.00
29) Social Security Building	Tax Increment - CCRP	Office Depot		9,489.00	9,489.00								9,489.00
30) Social Security Building	Tax Increment - CCRP	Contract Furnishings		9,489.00	9,489.00								9,489.00
31) Gateway Sign Design	Tax Increment - HERO	International		141,602.42	141,602.42								141,602.42
32) HERO RiverPark	HERO & Sub-Aside	RiverPark A. Mama	Affordable Housing	4,250,000.00	4,250,000.00								4,250,000.00
33) HERO RiverPark	Tax Increment/Bond Proceeds	Member/RiverPark Legacy, LLC	Parking Facility	1,471,274.33	1,471,274.33								1,471,274.33
34) HERO RiverPark	Tax Increment - CCRP	Heritage Square HOA	Property Management	24,000.00	24,000.00								24,000.00
35) Heritage Square HOA Dues	Tax Increment - CCRP	Monthly Maintenance Dues	Per HSPOA Agreement	24,000.00	2,000.00								2,000.00
36) Social Security Building	Tax Increment - CCRP	New Roof and New Heating and AC system		84,000.00	84,000.00								84,000.00
37) Repair	Tax Increment - CCRP												
Totals - This Page				\$ 141,652,188.35	\$ 51,777,273.24	\$ 6,886,728.28	\$ 7,122,072.17	\$ 1,025,330.13	\$ 1,122,860.75	\$ 1,122,860.75	\$ 1,122,860.75	\$ 1,122,860.75	\$ 1,122,860.75
Totals - Page 4				\$ 421,574,285.52	\$ 30,983,811.52	\$ 1,112,217.01	\$ 484,246.54	\$ 25,400,246.54	\$ 363,139.58	\$ 400,246.54	\$ 380,388.64	\$ 380,388.64	\$ 380,388.64
Totals - Page 5				\$ 233,382,748.44	\$ 31,272,048.44	\$ 83,530.17	\$ 1,138,900.17	\$ 1,086,000.17	\$ 969,730.17	\$ 969,730.17	\$ 969,730.17	\$ 969,730.17	\$ 969,730.17
Grand Total - All Pages				\$ 786,679,323.31	\$ 117,867,241.20	\$ 7,892,275.43	\$ 8,755,218.88	\$ 27,512,376.94	\$ 1,448,760.07	\$ 4,011,725.56	\$ 13,682,068.92	\$ 13,682,068.92	\$ 13,682,068.92

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total
						Jan	Feb	March	April	May	June	
ADMINISTRATIVE SERVICES												
1 Personnel Services	Andin costs	Ornard CDC	Salaries and Benefits Admin and Housing	865,076.00	865,076.00	72,090.00	72,090.00	72,090.00	72,090.00	72,090.00	72,090.00	432,540.00
2 Materials and Supplies	Tax Increment & Set-Aside	Ornard CDC		25,700.00	10,582.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	6,000.00
3			Postage									-
4			Subscriptions									-
5			Office Supplies									-
6			Minor Equipment									-
7												-
8												-
Memberships	Tax Increment	CRA ICSC League of CA Cities										-
9				120,000.00	12,000.00		12,000.00					12,000.00
10												\$
11												\$
28 Maintenance Services	Tax Increment & Set-Aside	Ornard CDC	Reimbursements, Rental Vehicle, Service Equipment	108,860.00	57,277.00	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00	33,000.00
30 Other Services	Tax Increment & Set-Aside	Ornard CDC	Legal Advocacy, External Phone, Cell Phone, Voice mail	325,803.00	339,298.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	150,000.00
Fixed Charges	Tax Increment & Set-Aside	Ornard CDC	Data Process, Liability Ins, Indirect Charges, Provated Charges Facility Rental	810,394.00	810,394.00	67,500.00	67,500.00	67,500.00	67,500.00	67,500.00	67,500.00	405,000.00
31												\$
32												\$
33 FACADE PROGRAMS												\$
HERO and Downtown Facade Program	Tax Increment - HERO	Vendors/Contractor approved project - Avalos Building	Facade and Paint Improvement Program - Capital Improvement Projects and Architectural Fees	25,000.00	25,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
35 Program	Tax Increment - HERO	(Heliodoro Avilas) approved project - Aringos Travel (Melody Montoya)	Capital Improvement Project	60,000.00	60,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	60,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	approved project - Circle 9 (Balwinder Gill Singh)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	10,000.00
37 Program	Tax Increment - HERO	approved project - Paradise Flowers and more (Ana M. Almaguer)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	10,000.00
38 Program	Tax Increment - HERO	Dominik's Italian Restaurant (Brian Hengiller)	Capital Improvement Project	60,000.00	60,000.00	0.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	approved project - Palm Street property (Debbie Owens)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
40 Program	Tax Increment - HERO	approved project - AS Income Tax, Melissa's Insurance & La Central Bakery (Asolofo Gutierrez)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	approved project - Boblin Center (James Sukman Lee)	Capital Improvement Project	60,000.00	60,000.00	0.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
42 Program	Tax Increment - HERO	approved project - Video Liquidators (James Sukman Lee)	Capital Improvement Project	60,000.00	60,000.00	0.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	approved project - Pio Sol (Thanh Tran)	Capital Improvement Project	60,000.00	60,000.00	0.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
44 Program	Tax Increment - HERO	La Ver's Restaurant (Francisco Gomez)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	El rancho Velez (Joes Kaimora Velez)	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
45 Program	Tax Increment - HERO	Capital Improvement Project	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
Facade and Paint Improvement Program	Tax Increment - HERO	Capital Improvement Project	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total
						Jan	Feb	March	April	May	June	
47 Program Facade and Paint Improvement	Tax Increment - HERO	Salud Y Negocio (Susana Montesinos)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
48 Program Facade and Paint Improvement	Tax Increment - HERO	Joe's Smoke Shop (Liliana Hair)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
48 Program Facade and Paint Improvement	Tax Increment - HERO	Allens TV (Richard Allen)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
50 Program Facade and Paint Improvement	Tax Increment - HERO	Orland General Services (Catalina Willis & Carlo Arango)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
51 Program Facade and Paint Improvement	Tax Increment - HERO	PT's Beauty Salon (Esther Solis)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
52 Program Facade and Paint Improvement	Tax Increment - HERO	JDK International (Kim Tran)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
53 Program Facade and Paint Improvement	Tax Increment - HERO	Yasubay Japanese Restaurant (Yoolin Lim)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
54 Program Facade and Paint Improvement	Tax Increment - HERO	Paradise Vanessa (Carlos Martinez)	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
55 Program Facade and Paint Improvement	Tax Increment - HERO	Orillas Bakery	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
56 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Toniterra La Ramenheria	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
57 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Advance America	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
58 Program Facade and Paint Improvement	Tax Increment - HERO	approved project - auto Shack	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
59 Program Facade and Paint Improvement	Tax Increment - HERO	future project - Masons Lock	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	8,000.00
60 Program Facade and Paint Improvement	Tax Increment - HERO	Next Generation Computer for LUPITA's	Capital Improvement Project	10,000.00	10,000.00	0.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	10,000.00
61 Program Facade and Paint Improvement	Tax Increment - HERO	Steve Greene Const./Sta Maria Neor/ Daniele Const. El Teatro (Paul Sangster)	Capital Improvement Project	40,988.28	40,988.28	5,257.01	6,442.26	6,442.26	6,442.26	6,442.26	6,442.26	37,468.31
62 Program Facade and Paint Improvement	Tax Increment - HERO	Adilio Const. SPO HOO Building (Angela Soo Hoo)	Capital Improvement Project	38,571.89	38,571.89	0.00	7,714.38	7,714.38	7,714.38	7,714.38	7,714.38	38,571.90
63 Program Facade and Paint Improvement	Tax Increment - HERO	Artist Carlsen Downtown Facade - approved project	Capital Improvement Project	2,893.34	2,893.34	0.00	0.00	0.00	2,893.34	0.00	0.00	2,893.34
64 Program Facade and Paint Improvement	Tax Increment - HERO	Golden Chicken Inn	Capital Improvement Project	60,000.00	60,000.00	0.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
65 Program Facade and Paint Improvement	Tax Increment - HERO	Jesse's Taco De Mexico	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
66 Program Facade and Paint Improvement	Tax Increment - HERO	Moni Lisa's Downtown Facade - approved project Sol del Pacifico	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
67 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
68 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
69 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
70 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
71 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
72 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
73 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
74 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
75 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
76 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
77 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
78 Program Facade and Paint Improvement	Tax Increment - HERO	approved project Downtown Facade - approved project	Capital Improvement Project	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total
						Jan	Feb	March	April	May	June	
79. Facade and Paint Improvement Program	Tax Increment - CCRP	Future project - Antigone Fashion	Capital Improvement Project To facilitate the implementation of projects, programs, activities, and admin costs of the agency	10,000.00	10,000.00	0.00	0.00	2,500.00	2,500.00	2,500.00	2,500.00	10,000.00
80. Cooperation Agreement	Tax Increment & Set-Aside	City of Oxnard		411,525,850.00	25,000,000.00			25,000,000.00				25,000,000.00
81. OPEB	Tax Increment & Set-Aside	City Employee	Other Post Employee Benefit	95,234.00	13,750.00						13,750.00	13,750.00
82. ICSC Conferences	Tax Increment	International Council of Shopping Centers	Retail Refention & Attraction Conferences	280,000.00	29,000.00		29,000.00					29,000.00
83. PERS-ERIP	Tax Increment & Set-Aside	City Employee	ERIP Employee salary and benefit	247,647.00	61,912.00						26,372.00	26,372.00
84. South Oxnard Library	Tax Increment - Southwinds	Gibbs, Green, Locher, Turner & Seneff Contractor	Capital Improvement Project and Legal Fees	600,000.00	600,000.00		200,000.00					200,000.00
85. HERCO Affordable Housing Rehab	Set-Aside	LMI Residents	Affordable Housing Program	250,615.00	250,615.00							
86. Landmark Project	Tax Increment		Site location assistance & Building improvement (Per approval in connection to acquisition of 318 W 5th Street)	150,000.00	150,000.00	50,000.00		50,000.00		50,000.00		150,000.00
87. Southwinds Residential Rehab	Set-Aside	Van Merrill	Affordable Housing Program	455,602.00	455,602.00	30,000.00						30,000.00
88. Northwest Affordable Housing	Set-Aside	LMI Residents	Affordable Housing Program	617,012.00	617,012.00							
89. Office Space	Tax Increment & Set-Aside	City of Oxnard	Building/Space Rental Fees	4,219,350.00	843,870.00	843,870.00						843,870.00
90.												
Totals - This Page				\$ 421,574,386.52	\$ 30,883,811.52	\$ 1,112,217.01	\$ 494,246.64	\$ 25,400,246.64	\$ 353,139.98	\$ 400,246.64	\$ 390,386.64	\$ 28,150,465.55

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (OTHER)
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total
						Jan	Feb	March	April	May	June	
1) Statutory Payments	Tax Increment	Port Huernero Elmen Sch Dist	Pass-Through Payment		57,000.00					28,500.00		\$ 28,500.00
2) Statutory Payments	Tax Increment	Ocean View Elem Sch District	Pass-Through Payment		80,000.00					40,000.00		\$ 40,000.00
3) Statutory Payments	Tax Increment	Oxnard Elementary School Dist	Pass-Through Payment		225,750.00					112,875.00		\$ 112,875.00
4) Statutory Payments	Tax Increment	Rio Elementary School District	Pass-Through Payment		253,000.00					126,500.00		\$ 126,500.00
5) Statutory Payments	Tax Increment	Oxnard High School District	Pass-Through Payment		365,400.00					182,700.00		\$ 182,700.00
6) Statutory Payments	Tax Increment	Ventura Community College Dist	Pass-Through Payment		149,000.00					74,500.00		\$ 74,500.00
7) Statutory Payments	Tax Increment	Ventura Comm. College Dist Childrens Center	Pass-Through Payment		840.00					420.00		\$ 420.00
8) Statutory Payments	Tax Increment	ERAF 92-83 Shift Fund	Pass-Through Payment		1,399,076.00					699,538.00		\$ 699,538.00
9) Statutory Payments	Tax Increment	ERAF 93-94 Shift	Pass-Through Payment		135,102.00					67,551.00		\$ 67,551.00
10) Statutory Payments	Tax Increment	Ventura County Office of Education	Pass-Through Payment		267,854.00					133,927.00		\$ 133,927.00
11) Statutory Payments	Tax Increment	County Flood District Admin	Pass-Through Payment		55,954.00					27,977.00		\$ 27,977.00
12) Statutory Payments	Tax Increment	County Flood District	Pass-Through Payment		7,063.00					3,531.50		\$ 3,531.50
13) Statutory Payments	Tax Increment	County Flood District Zone #2	Pass-Through Payment		113,073.00					56,536.50		\$ 56,536.50
14) Statutory Payments	Tax Increment	County Flood District Zone #4	Pass-Through Payment		5.00					2.50		\$ 2.50
15) Statutory Payments	Tax Increment	General Fund Ocean View Water Dist	Pass-Through Payment		22.00					11.00		\$ 11.00
16) Statutory Payments	Tax Increment	Oxnard Drain #1	Pass-Through Payment		126.00					62.50		\$ 62.50
17) Statutory Payments	Tax Increment	United Water Conservation District	Pass-Through Payment		28,242.00					14,021.00		\$ 14,021.00
18) Statutory Payments	Tax Increment	City of Oxnard	Pass-Through Payment		553,586.00					276,783.00		\$ 276,783.00
19) Statutory Payments	Tax Increment	Calleguas Municipal Water District	Pass-Through Payment		31,320.00					15,660.00		\$ 15,660.00
20)												\$ -
21)												\$ -
22)												\$ -
23)												\$ -
24)												\$ -
25)												\$ -
26)												\$ -
27)												\$ -
28)												\$ -
Total - Other Obligations				\$ -	\$ 3,723,192.00	\$ -	\$ -	\$ -	\$ -	\$ 1,861,596.00	\$ -	\$ 1,861,596.00

Name of Redevelopment Agency: Ormond Community Development Commission
Project Area(s): CCRP, CCRP Annex, Downtown, Southwinds, Ormond Beach, HERO, HERO Annex

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (OTHER)
Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month											
						Jan	Feb	March	April	May	June	Total					
1) LMIHF Debt - Southwinds	Tax Incremental/Sec-Aside	City of Ormond/Successor	AS Per SOI	35,886,076.00	258,000.00		51,600.00	51,600.00	51,600.00	51,600.00	51,600.00	258,000.00					
2) LMIHF Debt - CCRP	Tax Incremental/Sec-Aside	City of Ormond/Successor	AS Per SOI	45,756,124.00	1,120,000.00		224,000.00	224,000.00	224,000.00	224,000.00	224,000.00	1,120,000.00					
3) LMIHF Debt - R-108	Tax Incremental/Sec-Aside	City of Ormond/Successor	AS Per SOI	12,690,052.00	94,000.00		18,800.00	18,800.00	18,800.00	18,800.00	18,800.00	94,000.00					
4) LMIHF Debt - Ormond Beach	Tax Incremental/Sec-Aside	City of Ormond/Successor	AS Per SOI	8,865,345.00	374,000.00		74,800.00	74,800.00	74,800.00	74,800.00	74,800.00	374,000.00					
5) LMIHF Debt - HERO	Tax Incremental/Sec-Aside	City of Ormond/Successor	AS Per SOI	98,450,387.00	2,359,000.00		471,800.00	471,800.00	471,800.00	471,800.00	471,800.00	2,359,000.00					
6) Reimbursement Agreement	HERO Set-Aside	Francisco De Able Campos & Rosa Linda Campos	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
7) Reimbursement Agreement	HERO Set-Aside	Ernesto, John Cervantes & Jonathan Chelentao	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
8) Reimbursement Agreement	HERO Set-Aside	Neuyen Dumas & Thuylinh Nguyen Dumas	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
9) Reimbursement Agreement	HERO Set-Aside	Everardo G. Dominguez & Imelda Dominguez	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
10) Reimbursement Agreement	HERO Set-Aside	Felipe Dominguez & Verónica Montelongo Dominguez	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
11) Reimbursement Agreement	HERO Set-Aside	Vania Garcia & Alejandra Garcia	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
12) Reimbursement Agreement	HERO Set-Aside	Alan J. Leiva & Rocko Llanusa-Leyva	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
13) Reimbursement Agreement	HERO Set-Aside	José Luis Montañana & María Lourdes Zamora	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
14) Reimbursement Agreement	HERO Set-Aside	Solador De Jesus Munoz & Osiris Munoz	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
15) Reimbursement Agreement	HERO Set-Aside	Sean Teon Nguyen & Phuong Dung Thi Ho	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
16) Reimbursement Agreement	HERO Set-Aside	Christina M. Tharsten	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
17) Reimbursement Agreement	HERO Set-Aside	Shirley Torres & Maria Guadalupe Torres	Riverfront Mortgage Reimbursement	15,600.00	1,000.00		200.00	200.00	200.00	200.00	200.00	1,000.00					
18)																	
19)																	
Affordable Housing Compliance	Set-Aside	Affordable Housing Compliance Consultant	Affordable Housing Compliance Functions	2,200,000.00	40,000.00		8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	40,000.00					
20) Renewal & 4 Sube	Tax Increment	Legal Counsel Firm	Legal Functions for Successor Agency	1,250,000.00	125,000.00		25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	125,000.00					
21) Successor Agency Legal Counsel	Tax Increment	Downtown Parking Lot Resurfacing	Downtown Parking Lot	253,741.00	253,741.00		126,870.00	126,870.00				253,741.00					
22) and Light	Tax Increment	City of Ormond	Phase II of Median Improvement Project	118,717.81	118,717.81							118,717.81					
23) Ormond Medians	Tax Increment	City of Ormond	Replacement of Trash Enclosures in DT	30,000.00	30,000.00							30,000.00					
24) Downtown Trash Enclosures	Tax Increment & Set-Aside	City of Ormond	Security lights and cameras equipment	431,000.00	431,000.00							431,000.00					
25) Camera		City of Ormond/Contractor															

Project Name / Debt Obligation	Source of Funding	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month												Total
						Jan	Feb	March	April	May	June							
HERO Street Reconstruction	Bond Proceeds	City of Orange/Contractor	HERO Street Reconstruction CIP	1,439,973.00	1,439,973.00													\$
26 Project	Bond Proceeds	City of Orange/Contractor	HERO Street Reconstruction CIP	1,439,973.00	1,439,973.00													\$
27 Project	Bond Proceeds	City of Orange/Contractor	Southwinds Street Reconstruction CIP	24,736.00	24,736.00													\$
28 Project	Bond Proceeds	City of Orange/Contractor	HERO Street Reconstruction CIP	3,075,203.37	3,075,203.37													\$
29 Project	Bond Proceeds	City of Orange/Contractor	HERO Street Reconstruction CIP	3,075,203.37	3,075,203.37													\$
30 Project	Bond Proceeds	City of Orange/Contractor	HERO Street Reconstruction CIP	3,075,203.37	3,075,203.37													\$
31 HWY 101 Rice Interchange	Tax Increment - HERO	Contractor	Roadway Interchange Improvements	76,989.00	76,989.00													\$
32 Campus Park Phase I and II	Tax Increment - HERO	Contractor	Park Improvements	16,769,000.00	16,769,000.00													\$
33 HERO Facade Program	Tax Increment - HERO	Contractors	Facade Improvement Program	1,143,903.21	1,143,903.21													\$
34 Mobile Home Replacement	Set Aside	LLI Residents	Mobile Home Replacement Program	999,890.85	999,890.85													\$
35 SVA Housing Ownership	Set Aside	LLI Residents	First Time Home Buyer	345,999.00	345,999.00													\$
36 Project Management	Tax Increment & Set-Aside	City Employees	Time charged to sidewalk housing	591,635.50	591,635.50													\$
37 Bond Counsel	Tax Increment	Goodman and Proctor	Redevelopment project	30,000.00	30,000.00													\$
38 Downtown Demo Project	Tax Increment	Contractors/Vendors	Legal Counsel for CDC Bonds	116,485.00	116,485.00													\$
39 Contracts and Services	Tax Increment & Set-Aside	Kama, Ballmer, and Berkman	Demo work to Downtown Buildings	250,000.00	250,000.00													\$
40 Contracts and Services	Tax Increment	EDCO	Agency Legal Counsel	104,000.00	104,000.00													\$
41 Contracts and Services	Tax Increment - CCRP	Economic Development Corporation Ventura	Economic Development Functions	15,000.00	15,000.00													\$
42			Real Estate	15,000.00	15,000.00													\$
43																		\$
44 Contracts and Services	Tax Increment & Set-Aside	Tom Figg	Project Development and : Review of appraisals, cost assumptions, capital budgets, operating statements, marketing data, and funding commitments	124,000.00	124,000.00													\$
45 Contracts and Services	Tax Increment	Dave Newsome	Downtown Theater Consulting	150,000.00	150,000.00													\$
46 Contracts and Services	Tax Increment	Katie Piscote	ISCS Consultant	100,000.00	100,000.00													\$
47 Contracts and Services	Tax Increment	R.A. Amore & Sons	Wired Abatement	50,000.00	50,000.00													\$
48																		\$
49																		\$
50 Contracts and Services	Tax Increment & Set-Aside	National Development Council	Adaptable Housing-Advising on equity sources and structuring	90,000.00	90,000.00													\$
51 Contracts and Services	Tax Increment	Don Parker	Property Tax and Tax Increment Prep.	20,000.00	20,000.00													\$
52 Contracts and Services	Tax Increment	Major Hoffman McGinn P.C.	Theater Analysis	10,000.00	10,000.00													\$
53 Contracts and Services	Tax Increment & Set-Aside	Hill, Cohen & Cone	Property Tax and Tax Increment Prep.	20,000.00	20,000.00													\$
54 Contracts and Services	Tax Increment	Hunt Design	Design of Government Exhibits, signs and graphics	200,000.00	200,000.00													\$
55																		\$
Totals - Other Obligations				\$ 233,359,748.44	\$ 31,472,884.44	\$ 83,330.17	\$ 1,139,800.17	\$ 1,098,600.77	\$ 959,730.17	\$ 959,730.17	\$ 1,415,730.17	\$ 5,664,927.02						\$

* Notwithstanding the provisions of California Health and Safety Code section 24177(e)(1), agreements between the City and the Commission have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of AB#1 26 on June 28, 2011.



Meeting Date: 02/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☒ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other Study Session

Prepared By: Grant Dunne, Management Analyst III *JD*

Agenda Item No. **I-6**

Reviewed By: City Manager *JD* City Attorney *JA* Finance *JC* Public Works

DATE: February 2, 2012

TO: City Council *J.R.*

FROM: Rob Roshanian, Interim Public Works Director
Public Works Department

SUBJECT: Proposition 1B Funds for Local Street Improvement

RECOMMENDATION

That City Council:

1. Approve the reallocation of available Proposition 1B funds from the completed projects of Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project and the Sea Air Neighborhood Resurfacing Project.
2. Adopt a resolution allocating Proposition 1B funds in the amount of \$6,041,133 to the Sea Air Neighborhood, Bartolo Square North Neighborhood, Bartolo Square South Neighborhood and Cal-Gisler Neighborhood and Wooley Road street resurfacing projects.
3. Approve the appropriation of available Proposition 1B funds in the amount of \$1,592,821 from the completed projects of Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project and to the Sea Air Neighborhood Project.

DISCUSSION

In November, 2006, California voters approved Proposition 1B authorizing the sale of \$19.9 billion in bonds for local transportation infrastructure improvements. Proposition 1B specifies that \$1 billion of the bond proceeds be allocated directly to cities for road and street improvements. The City has spent \$4,450,627 from its allocation of \$6,041,133 in Proposition 1B funding to complete street resurfacing projects of the Bartolo Square North and South Neighborhoods, Cal-Gisler Neighborhood, and Sea Air Neighborhood.

Proposition 1B guidelines require that the City Council adopt the attached resolution that authorizes the use of Proposition 1B bond proceeds for the Wooley Road Resurfacing Project in addition to the completed projects described in this staff report as approved by previous Council Resolution No. 13,784.

Subject: Proposition 1B Funds for Local Street Improvement

February 2, 2012

Page 2 of 2

The Wooley Road Resurfacing Project would be ready for construction in the first quarter of FY 2012-13 making it eligible under the timeline of Proposition 1B funding. The Sea Air Neighborhood Resurfacing Project is a completed project but realized an overage of \$2,316.

FINANCIAL IMPACT

A special budget appropriation will reallocate available Proposition 1B funding in the amount of \$1,592,821 from the completed projects of Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project in the amount of \$1,590,505 and to the Sea Air Neighborhood Resurfacing Project of \$2,316.

Attachment No. 1 Resolution

Attachment No. 2 Special Budget Appropriation

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION SUPERCEDING RESOLUTION NO.
13,784 OF THE CITY COUNCIL OF THE CITY OF
OXNARD APPROVING SUBMITTAL OF AN
APPLICATION FOR CALIFORNIA PROPOSITION 1B
LOCAL STREETS IMPROVEMENT FUNDING

WHEREAS, in November 2006, the voters of California passed Proposition 1B which included funding for capital projects of local transportation facilities; and

WHEREAS, the City of Oxnard is estimated to receive \$6,041,133 in Proposition 1B funding for capital projects of local transportation facilities; and

WHEREAS, the State of California has developed guidelines for the use of these funds, which includes the useful life minimum threshold for requested projects; and

WHEREAS, under the guidelines developed by the State of California, the City of Oxnard is an eligible applicant for these funds; and

WHEREAS, the City Council desires to secure FY 2009-10 State Proposition 1B funding and make a corresponding increase in appropriation for the FY 2009-10 Capital Improvement Project Budget for the requested projects; and,

WHEREAS, On March 18, 2008 City Council adopted Resolution No. 13,389 authorizing the use of Proposition 1B funds in the amount of \$6,041,133 for street resurfacing projects of Sea Air Neighborhood, Cal-Gisler Neighborhood and Del Norte Boulevard; and,

WHEREAS, On February 10, 2009 City Council adopted Resolution No. 13,603 superseding Resolution No. 13,389 authorizing the use of Proposition 1B funds in the amount of \$6,041,133 for street resurfacing projects from the Sea Air Neighborhood, Cal-Gisler Neighborhood and Del Norte Boulevard to the Sea Air Neighborhood, Cal-Gisler Neighborhood, and Bartolo Square North Neighborhood; and,

WHEREAS, On April 10, 2010 City Council adopted Resolution No. 13,784 superseding Resolution No. 13,603 authorizing the use of Proposition 1B funds in the amount of \$6,041,133 for street resurfacing projects among the Sea Air Neighborhood, Cal-Gisler Neighborhood and Bartolo Square North Neighborhood; and,

WHEREAS, the City Council desires to adopt a resolution reallocating Proposition 1B funds in the amount \$6,041,133 for street resurfacing projects among the Sea Air Neighborhood, Cal-Gisler Neighborhood, Bartolo Square North Neighborhood, Bartolo Square South Neighborhood and Wooley Road.

ATTACHMENT NO. 1 PAGE 1 OF 2

Resolution No. _____
Page 2

NOW, THEREFORE, the City Council of the City of Oxnard resolves: (1) the City Manager is authorized to use and to submit applications to the California Proposition 1B Fund for the following requested projects: Sea Air Neighborhood Resurfacing Project, Cal-Gisler Neighborhood Resurfacing Project, Bartolo Square North Neighborhood Resurfacing Project, Bartolo Square South Neighborhood Resurfacing Project, and Wooley Road. (2) This resolution supersedes Resolution No. 13,784.

PASSED AND ADOPTED, this 14th day of February 2012 by the following vote:

AYES:

NOES:

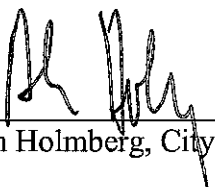
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM

Daniel Martinez, City Clerk



Alan Holmberg, City Attorney

ATTACHMENT NO. 1 PAGE 2 OF 2

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

February 14, 2012

Request is hereby made for an appropriation of total \$ 1,592,821

Reason for appropriation: Reallocation of available Proposition 1B Funding from completed of Bartolo Square North Neighborhood Street Resurfacing Project, Bartolo Square South Neighborhood Street Resurfacing Project, and the Cal-Gisler Neighborhood Resurfacing Project to the Wooley Road Resurfacing Project and to the Sea Air Neighborhood Resurfacing Project.

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
Proposition 1B State Bond (116)	116-3147- (033115) Bartolo Square North Neighborhood Resurfacing 803-8610 - Street Resurfacing Improv.	(665,349)
	116-3147- (093109) Bartolo Square South Neighborhood Resurfacing 803-8610 - Street Resurfacing Improv.	(65,588)
	116-3036- (083117) Cal-Gisler Neighborhood Resurfacing 826-8610 - Street Resurfacing Improv.	(861,884)
	116-3056- (073107) Sea Air Neighborhood Resurfacing 803-8610 - Street Resurfacing Improv.	2,316
	116-3044- (083125) Wooley Road Resurfacing 803-8610 - Street Resurfacing Improv.	1,590,505
Net Estimated Change to Proposition 1B State Bond Fund Balance		<u><u>0</u></u>



Manager

CHIEF FINANCIAL OFFICER

REQUIRES CITY COUNCIL APPROVAL



Disposition

Approved _____

Rejected _____

Transfer by Journal Voucher

City Manager



Meeting Date: 02/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Lou Balderrama, City EngineerAgenda Item No. I-7Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Public Works**DATE:** February 2, 2012**TO:** City Council**FROM:** Rob Roshanian, Interim Public Works Director
Public Works**SUBJECT:** Agreement with Ventura County Railroad for Grade Crossing Improvements
(Agreement No. A-7471)

RECOMMENDATION

That City Council approve and authorize the Mayor to execute an agreement with Ventura County Railroad (VCRR) in the amount of \$594,000 to improve the existing grade crossings at the intersections of Wooley Road and Oxnard Boulevard, Wooley Road and Commercial Avenue, and Wooley Road and Richmond Avenue (Agreement No. A-7471).

DISCUSSION

The existing railroad crossings at the intersections of Wooley Road and Oxnard Boulevard, Wooley Road and Commercial Avenue, and Wooley Road and Richmond Avenue are deteriorated and need to be replaced with concrete panels. The railroad company performs all work within their right-of-way, and does not permit the City of Oxnard or any of its contractors to do the repairs. The City has requested that VCRR coordinate the timing of such work with the resurfacing project on Wooley Road to minimize traffic impacts.

These crossing improvements were included in the Wooley Road Arterial Resurfacing Project that was reviewed and approved by Caltrans for Surface Transportation Act (STA) Funding reimbursement. STA was established and is authorized by the Federal Government as federal aid for transportation projects that are administered by Caltrans. The estimated cost for VCRR to perform these improvements is \$594,000. The City and Caltrans will be executing a Program Supplement Agreement for Caltrans to administer the STA funds in the amount of \$3,940,849 to the City for the Wooley Road Resurfacing Project. These crossing improvements were included in the Wooley Road Arterial Resurfacing Project that was reviewed and approved by Caltrans for Surface Transportation Act (STA) Funding reimbursement. STA was established and is authorized by the Federal Government as federal aid for transportation projects that are administered by Caltrans. The estimated cost for VCRR to

**Agreement with Ventura County Railroad for Grade Crossing Improvements
(Agreement No. A-7471)
February 2, 2012
Page 2 of 2**

perform these improvements is \$594,000. The City and Caltrans will be executing a Program Supplement Agreement for Caltrans to administer the STA funds in the amount of \$3,940,849 to the City for the Wooley Road Resurfacing Project.

Staff is recommending a separate item on Council's agenda to reprogram \$1,590,505 available funding of State Proposition 1B monies from completed projects to the Wooley Road Resurfacing Project while the Program Supplement Agreement is being executed between the City and Caltrans. State Proposition 1B is voter approved bonds for street maintenance and repair. The Wooley Road Resurfacing Project estimated cost is \$5,500,000 and includes the improvements of the railroad grade crossings. Both STA and Proposition 1B funding are necessary to cover the cost of the entire project. Staff will return to City Council to recommend the plans and specifications and appropriate the STA funding for the Wooley Road Resurfacing Project.

FINANCIAL IMPACT

Allocation of State Prop 1B funds to this project have been submitted for Council consideration under a separate item. If approved by Council, State Proposition 1B funds will provide sufficient funding in the Wooley Road Arterial Resurfacing Project No. 081325 to cover the cost of the Railroad Grade Crossing Improvements.

Attachment #1 - Agreement No. A-7471

GRADE CROSSING IMPROVEMENTS AGREEMENT

AGREEMENT entered into this 14th day of February, 2012, by and between THE VENTURA COUNTY RAILROAD, called herein "VCRR" and THE CITY OF OXNARD, CALIFORNIA, called herein "City".

WHEREAS, the City desires to improve the existing grade crossings at the intersections of Wooley Road and Oxnard Boulevard, Wooley Road and Commercial Avenue, and Wooley Road and Richmond Avenue, as part of the Wooley Road Arterial Resurfacing Project, by installing precast concrete crossing surface with the corresponding track structure to support it; and

WHEREAS, VCRR is agreeable to completing the at grade crossing improvement work performed subject to the following terms and conditions of this Agreement;

NOW, THEREFORE, the parties agree as follows:

1. The total estimated cost for this project is \$594,000. City's obligation under this Agreement shall not exceed the estimated cost, without further approval by the City. Prior to VCRR performing any work on this project, City will deposit with VCRR the amount of \$594,000 to cover the estimated costs of the project as shown on the estimate attached hereto as Exhibit A. Should the bids for material, labor, equipment, and other expenses exceed the estimate in aggregate; the VCRR shall submit a written request to the City for an increase in the project cost. If permission cannot be obtained from the City, the VCRR shall return all funds advanced from the City and this Agreement shall be considered terminated pursuant to Section 6. Upon completion of the work VCRR will bill for actual labor, equipment, and other costs in an amount not to exceed the estimated labor, equipment, and other costs without further approval by the City. Should the actual material costs be less than estimated, then VCRR will apply the difference against the final bill for actual labor costs, with a written accounting of the final costs, and the City will reimburse VCRR for the net actual costs of the project with 45 days of receipt of the bill.
2. Work is to be done during normal working hours and will require a 48 hour closure for each street crossing. If the City requires the surface improvement work to be performed on a weekend, City agrees to pay for any additional costs incurred due to overtime pay for VCRR and/or Contractors or any other extra expenses associated with the weekend work. City will install asphalt road approaches and be responsible for any required notification of the public.
3. VCRR will cause its contractors to pay prevailing wages to all persons working on the project.

4. This Agreement shall commence upon execution of this Agreement by both parties and shall continue for 240 calendar days, subject to prior termination as hereinafter described.
5. If either party shall default in any of the agreements contained in this document the other may terminate this Agreement by serving ten (10) days notice in writing upon the defaulting party. Any waiver by the non-defaulting party of any default shall not constitute a waiver of the right to terminate this Agreement for any subsequent defaults, nor shall any such waiver in any way affect the parties' ability to enforce any sections of this Agreement. The remedy set forth in this section shall be in addition to and not in limitation of any other remedies may have at law or in equity.
6. This agreement may be terminated by either party, at any time, by serving ten (10) days written notice of termination on the other party.
7. The parties shall observe and comply with any and all federal, state, and local laws and regulations in the performance of this Agreement.
8. This Agreement is the full and complete Agreement between the parties and supersedes any and all other agreements between the parties hereto relating to the installation of the improvements at the grade crossings.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate the day and year first above written.

THE VENTURA COUNTY RAILROAD

CITY OF OXNARD

By: _____
Randy Perry
General Manager

By: _____
Print: Dr. Thomas E. Holden
Title: Mayor

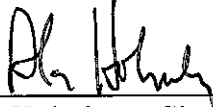
Date: _____

Date: _____

ATTEST:

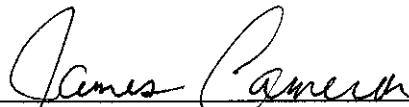
Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

APPROVED AS TO INSURANCE:


James Cameron, Risk Manager

APPROVED AS TO AMOUNT:

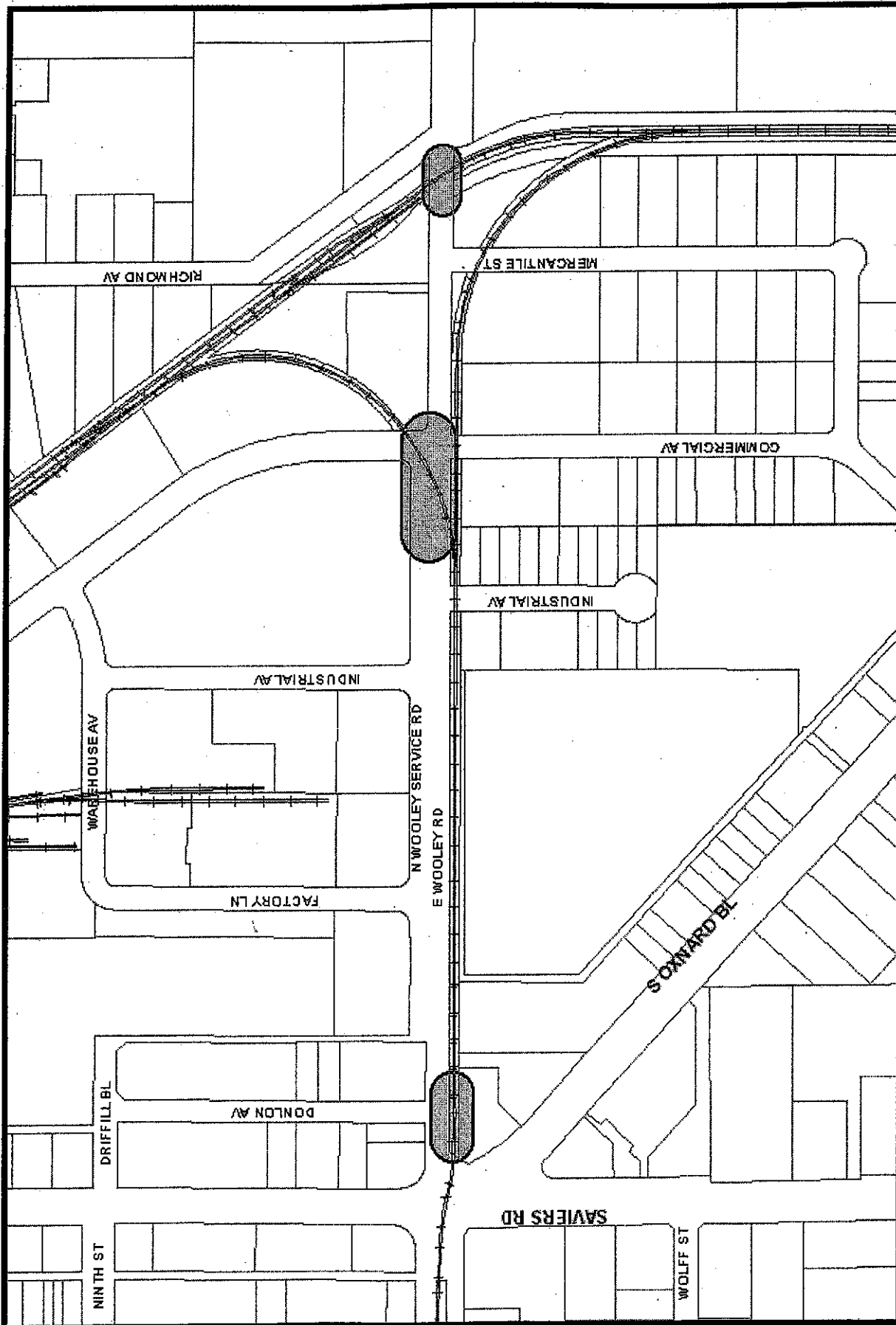

Karen R. Burnham, Interim City Manager

APPROVED AS TO CONTENT:


Rob Roshanian,
Interim Public Works Director


Lou Balderrama, City Engineer

EXHIBIT A

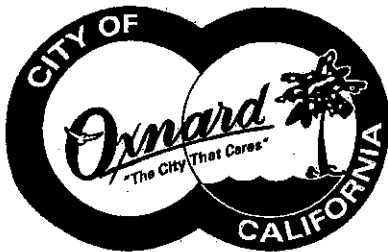


LOCATION OF RAILROAD CROSSINGS

Woolley Road Arterial Resurfacing Project - Ventura County Railroad At Grade Crossing Improvements
Item Number 69 in the Project - 495 Track Ft at \$1,200/Ft = \$594,000



NOT TO SCALE



Meeting Date: 02/14/12

ACTION ☐ Approved Recommendation ☐ Ord. No(s). _____ ☐ Res. No(s). _____ ☐ Other _____	TYPE OF ITEM ☐ Info/Consent ☐ Report ☐ Public Hearing (Info/consent) Other Council Business
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Prepared By: Grace Magistrale Hoffinan, City Manager's Office

Agenda Item No. **N-2**

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance N/A Other (Specify) _____

DATE: February 9, 2012

TO: City Council
Housing Authority
City of Oxnard Financing Authority
Oxnard Community Development Commission Successor Agency

FROM: Karen R. Burnham, Interim City Manager
City Manager's Office

SUBJECT: Cancellation of the Regular Meetings Scheduled for February 28, 2012

RECOMMENDATION

That the City Council, Community Development Commission Successor Agency, the Oxnard Financing Authority and Housing Authority cancel their regular meetings scheduled for February 28, 2012.

DISCUSSION

The City Council has scheduled a Strategic Planning Session for Tuesday, February 28 and Wednesday February 29, 2012 resulting in the need to cancel the regularly scheduled meetings of the City Council, Oxnard Community Development Commission Successor Agency, Oxnard Financing Authority and the Oxnard Housing Authority to accommodate this two day Strategic Planning Session. Further details regarding the Planning Session, its location and agenda will be made available as details are finalized.

FINANCIAL IMPACT

None



Meeting Date: 02/14/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☒ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Kymberly R. Horner KH

Agenda Item No. 0-1

Reviewed By: City Manager gpb

City Attorney BH

Finance JC

Other N/A

DATE: February 8, 2012

TO: City Council

FROM: Curtis P. Cannon, Community Development Director Kymberly Horner (for)
Community Development Department

SUBJECT: **Appointments to Redevelopment Agency Dissolution Oversight Board**

RECOMMENDATION

1. That the Mayor, with the approval of City Council, pursuant to the provisions of Health and Safety Code section 34179(a)(2), appoint a member to the Oversight Board established pursuant to the provisions of Health and Safety Code section 34179(a).
2. That the Mayor, with the approval of City Council, pursuant to the provisions of Health and Safety Code section 34179(a)(7), appoint a member of the Service Employees International Union, Local 721, to the Oversight Board as the member from the recognized employee organization representing the largest number of former Community Development Commission employees employed by the successor agency.

DISCUSSION

On January 10, 2012, the City Council resolved that it would become the Successor Agency for the Oxnard Community Development Commission on February 1, 2012. As previously reported to the City Council, each Successor Agency to a redevelopment agency is subject to an Oversight Board established pursuant to the provisions of Health and Safety Code section 34179(a). That Oversight Board contains a member appointed by the County Board of Supervisors, a member from the eligible special district receiving the largest share of property tax within the former redevelopment agency's jurisdiction, a member appointed by the Superintendent of Education, and a member appointed by the Chancellor of California Community Colleges. In addition, the Mayor of the City which formed the redevelopment agency may appoint, without restriction, one member. The Mayor may also appoint a member from the recognized employee organization representing the largest number of former redevelopment agency's employees employed by the Successor Agency at the time of appointment.

With respect to a member at large, the choice is at the discretion of the Mayor. There are no restrictions or guidelines in the statutory provision.

With respect to the employee organization, the organization representing the largest number of employees is the Service Employees International Union, Local 721. The member appointed does not necessarily have to be an employee which performed service for the former Community Development Commission.

FINANCIAL IMPACT

Approval of the recommended action has no financial impact.