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.

CITY OF OXNARD CALIFORNIA

AGENDA

OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
*OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY

Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
September 25, 2012
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

*** The Oxnard Financing Authority will not meet because there are no items requiring consideration on this date.**

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: Presentation to Mayor Thomas E. Holden from the Sister City Committee on behalf of the Mayor of Ocotlan

2. SUBJECT: Presentation by David Wilk and Lee Stanliland from the Brain Injury Center of Ventura County

3. SUBJECT: Presentation to City Council from the Oxnard Firefighters Association in Partnership with the Oxnard Fire Department of Pink T-Shirts in Honor of Breast Cancer Awareness Month, October 2012.

4. SUBJECT: Presentation of Employee of the Third Quarter 2012

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 Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the Interim 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: 385-7430

2. SUBJECT: Acceptance of the Retired and Senior Volunteer Program (RSVP) Grant for Fiscal Year 2012/2013. (005)
RECOMMENDATION: 1) Recognize grant revenue in the amount of $67,777 and appropriate matching funds for the Retired and Senior Volunteer Program grant; and 2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims, and approve special budget appropriations for the use of grant funds.
Legislative Body: CC Contact Person: Marisue Eastlake Phone: 385-8023

City Treasurer Department

3. SUBJECT: Quarterly Investment Report for the Fourth Quarter F/Y 2011-2012. (009)
RECOMMENDATION: Accept the quarterly Investment Report for the Fourth Quarter F/Y 2011-2012.
Legislative Body: CC Contact: Danielle M. Navas Phone: 385-7808

Development Services Department

4. SUBJECT: Vacation of Excess Right-of-Way Along the South Side of Gonzales Road East of Williams Drive. (017)
RECOMMENDATION: Adopt a resolution summarily vacating a strip of excess right-of-way along the south side of Gonzales Road east of Williams Drive.
Legislative Body: CC Contact: Paul Wendt Phone: 385-7894

5. SUBJECT: Planning and Zoning Permit No. 12-660-01 (Street Vacation)
Vacation of a Four Foot Wide Strip Right-of-Way Along the East Side of I Street Southerly of Wooley Road, adjacent to Oralia's Bakery. (025)
RECOMMENDATION: Adopt a resolution summarily vacating a four foot wide strip (616 square feet) of excess right-of-way along the east side of I Street southerly of Wooley Road.
Legislative Body: CC Contact: Paul Wendt Phone: 385-7894

Fire Department

6. SUBJECT: Authorization to Accept an Award for Emergency Management Performance Grant in the Amount of $45,588 and Adopt Resolution Authorizing Agents to Act on Behalf of the City. (031)
RECOMMENDATION: 1) Authorize the City Manager to accept a grant award in the amount of $45,588; 2) Authorize the Chief Financial Officer to appropriate the funds and perform all other required financial actions; and 3) Adopt a Resolution authorizing the City Manager, the Chief Financial Officer, and the Police Finance Manager to execute for and on behalf of the City, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub granted through the State of California.
Legislative Body: CC Contact: Deborah O'Malia Phone: 385-7717

Police Department

7. SUBJECT: State of California AVOID the 14 DUI Enforcement Grant. (035)
RECOMMENDATION: Adopt a resolution: 1) Authorizing the City Manager to execute and submit an application for $145,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2012/13 AVOID the 14 DUI Enforcement Program; 2) Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura, the California State University at Channel Islands, The Ventura County Community College District, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks, designating the City of Oxnard as the lead agency and fiscal agent for the AVOID the 14 grant; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of AVOID the 14 funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.
Legislative Body: CC Contact: Randy Latimer Phone: 385-7847

8. SUBJECT: State of California Grant for Selective Traffic Enforcement. (039)
RECOMMENDATION: 1) Authorizing the City Manager to submit an application for $150,000 to the State of California, Office of Traffic Safety (OTS); 2) Authorizing the City Manager or designee to execute grant agreements; 3) Authorizing the Chief Financial Officer or designee to submit financial reports and grants claims and approve Special Budget Appropriations for the use of grant funds; and 4) Authorizing the Chief of Police or designee to submit non-financial reports..
Legislative Body: CC Contact: Randy Latimer Phone: 385-7847

9. SUBJECT: Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding 2012/14. (043)
RECOMMENDATION: Adopt a resolution authorizing the City Manager to submit an application for $500,000 in Board of State and Community Corrections (BSCC) 2012/14 California Gang Reduction, Intervention and Prevention (Cal GRIP) funds to be used to reduce gang and youth violence though direct intervention, job training, and community engagement.
Legislative Body: CC Contact: Eric Sonstegard Phone: 385-8290

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending August 31, 2012. (045)
RECOMMENDATION: Receive Report.
Legislative Body: CC Contact: James Cameron Phone: 385-7461

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS – 7:15 P.M.

Development Services Department

1. SUBJECT: Review of the Planning Commission's Approval of Special Use Permit No. 11-500-2 for the Reuse of a Vacant Commercial Retail Building and Alcohol Sales for Off-Site Consumption for a Vallarta Market Shopping Center, Located at 2600 N. Vineyard Avenue. (061)
RECOMMENDATION: Adopt a resolution upholding the Planning Commission's approval for reuse of a vacant building for a shopping center with alcohol sales for off-site consumption, located at 2600 N. Vineyard Avenue.
Legislative Body: CC Contact: Ashley Golden Phone: 385-7882

2. SUBJECT: Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing. (111)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to emergency shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.
Legislative Body: CC Contact: Stephanie Diaz Phone: 385-7858

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

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

1. SUBJECT: East County Courthouse Funding. (129)
   RECOMMENDATION: Approve $30,000 funding request for FY 2012-13 from the general fund reserve to retain limited, part-time judicial services at East County Courthouse.
   Legislative Body: CC Contact Person: Martin R. Erickson Phone: 385-7870

O. REPORTS

City Treasurer Department

1. SUBJECT: Investment Policy and Annual Report of Investment Activity. (135)
   RECOMMENDATION: 1) Approve the Investment Policy for the City of Oxnard; and 2) Adopt a resolution delegating investment authority to the City Treasurer.
   Legislative Body: CC Contact: Danielle M. Navas Phone: 385-7808

Housing Department

2. SUBJECT: Terraza de Las Cortes, L.P. by the Housing Authority and Las Cortes, Inc. (173)
   RECOMMENDATION: 1)That the Housing Authority Board of Commissioners authorize negotiation of a Partnership Agreement to be returned for approval, between the Housing Authority and Las Cortes, Inc. for purpose of developing and operating a 64 unit multi-family affordable housing project to be known as Terraza de Las Cortes ("Project") on property currently owned by the Housing Authority; and 2) That the City Council approve a special budget appropriation in the amount of $3.3 million to the Project.
   Legislative Body: CC/HA Contact: William E. Wilkins Phone: 385-8094

Community Development Department

3. SUBJECT: Processing of Documentation in Order to Reflect Ownership of the Commission Properties and Other Assets by the Successor Agency. (177)
   RECOMMENDATION: That City Council adopt a resolution authorizing the processing of documentation reflecting ownership of the Commission properties and other assets by the Oxnard Community Development Commission Successor Agency ("Successor Agency")

   That the Successor Agency adopt a Resolution authorizing the processing of documentation confirming its ownership of the Commission properties and other assets.
   Legislative Body: CC/SA Contact: Curtis Cannon Phone: 385-7409

P. PUBLIC COMMENTS ON REPORTS

At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

Q. APPOINTMENT ITEMS

R. STUDY SESSION

City Manager's Office

1. SUBJECT: Discuss Transition of Gold Coast Transit (GCT) from a Joint Powers Agency to a Transit District. (239)
   RECOMMENDATION: Consider a report concerning the transition of GCT from a joint powers agency to a transit district.
   Legislative Body: CC Contact Person: Martin R. Erickson Phone: 385-7870

S. PUBLIC COMMENTS ON STUDY SESSION

At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

T. ADJOURNMENT

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 9//25/12

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

Prepared By: Karen R. Burnham, Interim City Manager Agenda Item No. I-1

Reviewed By: City Manager MMH City Attorney AK Finance J.C Other *(Specify)*

DATE: September 18, 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, and Resolution No. 13,932, 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 10:00 a.m. on Thursday prior to the Council meeting.

Item No.	Type	Department/Contact	Vendor/Agreement No.	Description/Purpose	Amount
A	Amendment	Development Services	Iteris, Inc.	**Addition of Oxnard Blvd. Design to Intelligent**	$125,989
		Soher Adbel-Malik	Agreement No. 5217-10-DS	**Transportation System (ITS) Master Plan**	
		385-7873		Consulting services for hardware and software	
				for the ITS Master Plan construction	
				Total Contract Amount: $2,616,633	
				Funding Source: Circulation Fees	
B	Purchase	Equipment Services	Raceway Ford	**Pick Up Trucks for General Services**	$81,437
	Order	Bill Birch	Purchase Order No. 004165	Purchase of three (3) pickup trucks for General	
		385-8080		Services Parks Division. Two will be used for	
				grounds maintenance at College Park and the	
				third is a replacement vehicle.	
				Total Contract Amount: $81,437	
				Funding Source: Measure "O" Fund $58,482,	
				Risk Management Fund $10,000 and General	
				Fund $12,955	
C	Original	City Manager's Office	El Campanario Janitorial	**Custodial Services at the Oxnard**	$112,704
	Agreement	Luly Lopez	Agreement No. 5932-12-CM	**Transportation Center**	
		385-8017		Provide custodial services for the Oxnard	
				Transportation Center.	
				Total Contract Amount: $112,704	
				Funding Source: TDA Funds	
D	Purchase	Public Works	Mac Valley Oil Company	**Unleaded Fuel Purchase**	$50,000
	Order	Anthony Emmert	Purchase Order No. 004058	This action will increase prior purchase order	
		207-1669		amount from $25,000 to $75,000 for purchase	
				of unleaded fuel.	
				Total Contract Amount: $75,000	
				Funding Source: Wastewater Treatment	
				Operating Fund and Wastewater Collection	
				Operating Fund	
E	Purchase	Public Works	General Petroleum	**Diesel Fuel Purchase**	$50,000
	Order	Anthony Emmert	Purchase Order No. 004059	This action will increase prior purchase order	
		207-1669		amount from $25,000 to $75,000 for purchase	
				of diesel fuel	
				Total Contract Amount: $75,000	
				Funding Source: Wastewater Treatment	
				Operating Fund and Wastewater Collection	
				Operating Fund	

ATTACHMENT #1
PAGE 1 OF 2

Item No.	Type	Department/Contact	Vendor/Agreement No.	Description/Purpose	Amount
F	**Original Agreement**	**Housing Department** Eva Magana 385-7401	**Margarita Diaz and Manuel Diaz** Agreement No. 5945-12-HO	**Mobilehome Replacement Program Loan** Mobilehome replacement program administered for HUD by Affordable Housing. Applicants meet HUD guidelines and requirements. **Total Contract Amount: $58,830** **Funding Source: Housing Funds**	**$58,830**
G	**Amendment**	**City Manager's Office** Grace Magistrale Hoffman 385-7445	**Matlock Professional Services, Inc.** Agreement No. 4932-09-CM	**Consulting Services for California Gang Reduction, Intervention and Prevention (CalGRIP) Program** The purpose of this three month extension is to continue consulting services for the CalGRIP Program from September 2012 to December 2012. **Total Contract Amount: $406,666** **Funding Source: Reprogrammed CalGRIP Grant Funds**	$36,666
H	**Original Contract**	**City Manager's Office - Public Information Office** Christina Aerenlund 385-7593	**All Languages Interpreting and Translating** Agreement No. 5753-12-CM	**Spanish Interpreting Services for City Council Meetings** Provide interpretation services for City Council meetings. **Total Contract Amount: $57,800** **Funding Source: General Fund**	**$57,800**

ATTACHMENT #1
PAGE 2 OF 2

Meeting Date: 9/25/2012

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

Prepared By: Marisue Eastlake ME _______ Agenda Item No. I-2

Reviewed By: City Manager KB City Attorney SMF Finance JL Other *(Specify)*

DATE: September 17, 2012

TO: City Council

FROM: Greg Barnes, Interim Senior Services Supervisor
Recreation and Community Services

SUBJECT: **Acceptance of the Retired and Senior Volunteer Program (RSVP) Grant for Fiscal Year 2012/2013**

RECOMMENDATION

That City Council:

1) Recognize grant revenue in the amount of $67,777 and appropriate matching funds for the Retired and Senior Volunteer Program grant.

2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims, and approve special budget appropriations for the use of grant funds.

DISCUSSION

For the past 35 years the City of Oxnard has successfully operated the Retired and Senior Volunteer Program (RSVP) which last year served about 600 volunteers age 55 and older. In 2011, RSVP volunteers assisted at 60 non-profit or public agencies, serving 72,219 hours and providing $1.69 million of time and talent to our community. The highest priorities are addressing hunger through food collection and distribution and helping seniors live independently.

The RSVP grant is funded by the federal Corporation for National and Community Service (CNCS). The dual purpose is to engage older adults in volunteer services to meet critical community needs and to provide a high quality experience that will enrich the lives of the volunteers. Grant agreements with CNCS are awarded on a three-year basis, with FY 2010-2011 being the first year of this cycle. For FY 2012-2013 the grant award is $67,777. The grant requires a contribution match of $88,000 to run the successful Retired and Senior Volunteer Program.

Special projects operated by RSVP include the successful RSVP Bone Builders program, with 28 exercise classes and about 475 weekly participants; the CarFit program, which checks that seniors are using their car's safety devices correctly; and Seniors With Aptitude, Talent & Time (SWATT), which provides one-time volunteers for special events, including the Tamale and Salsa festivals.

FINANCIAL IMPACT

Approval of the recommendation will appropriate a general fund match of $88,000 and recognize the grant award of $67,777 to the RSVP Grant FY12-13 (Project 774802). The general fund match is available in Recreation's account (101-5303-805.88-02).

Attachment #1 - Special Budget Appropriation

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Recreation & Comm Svcs **Date:** September 17, 2012
Project/Program Manager: Marisue Eastlake **Phone:** 8023

Reason for Appropriation:

To recognize $67,777 of RSVP Grant which is funded by the Corporation for National and Community Services under grant number 10SRPCA010 and transfer general fund Match of $88,000 from Senior Services/Special Populations

Accounts and Descriptions		**AMOUNT**
Fund: RSVP XXXV - GENERAL FUND MATCH (263-4856)		
Expenditures/Transfers Out		
RSVP FY12-13 (Project #774802) General Fund Match		
101-5303-805.88-02	RESERVES / FOR CONTINGENCIES	(88,000)
101-5303-805.87-61	TRANSFERS / TSFR TO FEDERAL GRANT FD	88,000
	Sub-total Expenditures	0
	Net Change to Fund Balance	**0**
Fund: RSVP XXXV GRANT FY12-13 (263-4806)		
Revenues/Transfers In		
RSVP GENERAL FUND MATCH (263-4856)		
263-4856-531-7220	FEDERAL & STATE SOURCES/GENERAL FUND MATCH - I	88,000
	Sub-total Revenues	88,000
Expenditures/Transfers Out		
RSVP FY12-13 (Project #774802) General Fund Match		
263-4856-805.80-01	PERSONAL SERVICES / DIRECT LABOR REGULAR	49,981
263-4856-805.80-41	PERSONAL SERVICES / EMPLOYEE BENEFITS	33,082
263-4856-805.83-41	RECOGNITION OF PUBLIC GUESTS	2,487
263-4856-805.83-45	MILEAGE REIMBURSEMENT	500
263-4856-805.83-57	MEMBERSHIPS - OTHER	450
263-4856-805.83-72	EXPENSE REIMBURSEMENTS	1,500
	Sub-total Expenditures	88,000
	Net Change to Fund Balance	**0**
Revenues/Transfers In		
RSVP Grant (263-4806)		
263-4806-534.72-85	SHARED/GRANT REVENUES / COUNTY GRANT REVENUI	67,777
	Sub-total Revenues	67,777
Expenditures/Transfers Out		
RSVP GRANT FUNDS (263-4806)		
263-4806-805.80-01	PERSONAL SERVICES / DIRECT LABOR REGULAR	22,629
263-4806-805.80-02	PERSONAL SERVICES / DIRECT LABOR - TEMP	15,600

ATTACHMENT #1
PAGE 1 OF 2

SBA# (Finance Use Only)________
BA Doc# (Finance Use Only)________

263-4806-805-80-41	PERSONAL SERVICES / EMPLOYEE BENEFITS	14,782
263-4806-805.81-01	POSTAGE	600
263-4806-805.81-02	SUPPLIES - OFFICE	1,900
263-4806-805.81-09	SUPPLIES - OTHER	1,400
263-4806-805.82-16	SERVICES - PRINTING/BINDING	700
263-4806-805.82-42	GENERAL LIABILITY INSURANCE	2,148
263-4806-805.83-41	RECOGNITION OF PUBLIC GUESTS	3,318
263-4806-805.83-43	TRAINING / WORKSHOPS / MTGS	2,500
263-4806-805.83-45	MILEAGE REIMBURSEMENT	1,200
263-4806-805.83-72	EXPENSE REIMBURSEMENTS	600
263-4806-805.84-02	PHOTOCOPY CHARGES	400
	Sub-total Expenditures	67,777
	Net Change to Fund Balance	**0**
	Net Appropriation Change	**155,777**

Approvals

Department Director Greg B

Chief Financial Officer James Cameron

City Manager ____________________

ATTACHMENT #1
PAGE 2 OF 2

SBA# (Finance Use Only)____________
BA Doc# (Finance Use Only)____________

REQUIRES CITY COUNCIL AUTHORIZATION

Revised : 2/23/2012

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 9/25/12

ACTION	TYPE OF ITEM
❒ Approved Recommendation	■ Info/Consent
❒ Ord. No(s). ______	❒ Report
❒ Res. No(s). ______	❒ Public Hearing (Info/consent)
❒ Other ______	❒ Other ______

Prepared By: Danielle M. Navas DMNavas Agenda Item No. I-3

Reviewed By: City Manager KRB City Attorney AH Finance JL Other *(Specify)*

DATE: August 23, 2012

TO: City Council

FROM: Danielle M. Navas, City Treasurer Danielle M Navas

SUBJECT: **Quarterly Investment Report for the Fourth Quarter F/Y 2011-2012**

RECOMMENDATION

That City Council accept the quarterly Investment Report for the Fourth Quarter F/Y 2011-2012.

DISCUSSION

The City Treasurer will continue to provide this quarterly report to keep you informed of the status of the investment portfolio, however, it is no longer required by state law. This is one of many previously reimbursable state mandated items not required due to lack of state funding. The Investment Policy was presented to City Council with the Annual Report of Investment Policy on September 27, 2011. The City of Oxnard Treasurer's Office Market Report as of June 30, 2012 is provided as Attachment 1. The source of the market values is Sungard, the vendor of the City's investment reporting system. Investments in the City's portfolio meet the requirements of the City of Oxnard's adopted investment policy. Detailed information regarding individual investments is maintained in the City Treasurer's Office.

The following statistics provide a summary on the status of the portfolio as of June 30, 2012:

Original cost of investments	$ 118,998,342	Book Value
Total to be received at maturity	$ 119,000,000	Par Value
If sold on June 30, 2012	$ 119,517,813	Market Value
Gain/ (Loss) if sold on June 30, 2012	$ 519,471*	

*All investments purchased are held to maturity. Sufficient liquidity is maintained for unexpected needs so that sale of an investment is not necessary. Any gain or loss related to changing market value is only a "paper" gain or loss, not an increase or decrease in the funds of the City.

Total earnings (4th quarter)	$ 313,244	
Average yield (4th quarter)	1.02%	(for the month .95%)
Average days to maturity (4th quarter)	759	(for the month 757 days)

The quarterly average yield on the portfolio was 1.02 percent compared with the Local Agency Investment Fund (LAIF) yield of .36 percent for the same period. The LAIF portfolio is comprised of public funds invested on a short-term basis with priority of safety first followed by need for liquidity and yield, the priorities of the City Treasurer's Investment Policy.

The federal funds rate remains unchanged at .00 to .25 percent.

In compliance with California Government Code section 53646, I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's budgeted and anticipated expenditure requirements for the next six months.

FINANCIAL IMPACT

None at this time.

Attachment #1 –Investment Inventory as of June 30, 2012
Attachment #2 – Benchmark Rate Comparison

Inventory by Market Value

CITY OF OXNARD
TREASURER'S OFFICE
AS OF DATE: 6/30/12

OXNARD

Run Date: 7/2/2012 5:06:46 PM

Inv. No.	Description	CUSIP	Purchase / Maturity	Coupon / YTM TR	Current Par /Share / Current Book	Market Value / Market Price	Curr Accr Int / Price Source
Inv Type: 12 FEDERAL HOME LOAN BANK BONDS							
16849	FHLB	313370KU1	08/16/2010	1.500000	2,000,000.00	2,038,750.00	2,750.00
			11/28/2014	1.500000	2,000,000.00	101.937500	SUNGARD
16862	FHLB	313370ZX9	09/20/2010	1.125000	2,000,000.00	2,023,125.00	6,312.50
			12/30/2013	1.125000	2,000,000.00	101.156250	SUNGARD
16867	FHLB	3133716T8	10/15/2010	1.500000	2,000,000.00	2,006,875.00	6,333.33
			04/15/2015	1.500000	2,000,000.00	100.343750	SUNGARD
16878	FHLB	313372QK3	02/17/2011	2.600000	2,000,000.00	2,119,375.00	21,955.56
			01/29/2016	2.600000	2,000,000.00	105.968750	SUNGARD
16897	FHLB	313374T42	07/29/2011	1.500000	2,000,000.00	2,020,000.00	12,666.67
			07/29/2015	1.500000	2,000,000.00	101.000000	SUNGARD
16913	FHLB	313378CB5	02/17/2012	.600000	2,000,000.00	2,001,875.00	4,466.67
			07/30/2015	.600000	2,000,000.00	100.093750	SUNGARD
16916	FHLB	313378C33	03/07/2012	1.240000	2,000,000.00	2,002,500.00	7,853.33
			03/07/2017	1.240000	2,000,000.00	100.125000	SUNGARD
16921	FHLB	313379B65	05/15/2012	.600000	2,000,000.00	2,001,875.00	1,533.33
			05/15/2015	.600000	2,000,000.00	100.093750	SUNGARD
16924	FHLB	313379J34	06/06/2012	1.150000	2,000,000.00	1,993,750.00	1,597.22
			06/06/2017	1.160322	1,999,000.00	99.687500	SUNGARD
			Subtotal	**1.312787**	**18,000,000.00**	**18,208,125.00**	**65,468.61**
				1.313933	**17,999,000.00**	**101.156250**	
Inv Type: 13 FEDERAL NATIONAL MORTGAGE ASSN							
16854	FNMA	31398A3G5	09/08/2010	1.500000	2,000,000.00	2,040,625.00	9,416.67
			09/08/2014	1.500000	2,000,000.00	102.031250	SUNGARD
16858	FNMA	3136FPEW3	09/16/2010	1.500000	2,000,000.00	2,045,625.00	1,250.00
			12/16/2014	1.500000	2,000,000.00	102.281250	SUNGARD
16860	FNMA	3136FPEX1	09/17/2010	1.125000	2,000,000.00	2,003,125.00	875.00
			12/17/2013	1.125000	2,000,000.00	100.156250	SUNGARD
16899	FNMA	3136FRP80	08/26/2011	1.050000	2,000,000.00	2,001,875.00	7,408.33
			08/24/2015	1.050000	2,000,000.00	100.093750	SUNGARD
16900	FNMA	3136FRZ97	08/29/2011	1.000000	2,000,000.00	2,002,500.00	7,055.56
			08/24/2016	1.000000	2,000,000.00	100.125000	SUNGARD
16907	FNMA	3136FTFH7	10/26/2011	1.250000	2,000,000.00	2,005,625.00	4,513.89
			10/26/2015	1.250000	2,000,000.00	100.281250	SUNGARD
16910	FNMA	3136FTVJ5	12/28/2011	1.125000	2,000,000.00	2,008,750.00	187.50
			12/28/2016	1.125000	2,000,000.00	100.437500	SUNGARD
16914	FNMA	3136FTL98	02/22/2012	1.200000	2,000,000.00	2,009,375.00	8,600.00
			02/22/2017	1.200000	2,000,000.00	100.468750	SUNGARD
16919	FNMA	3135G0JQ7	04/04/2012	1.090000	2,000,000.00	2,008,125.00	5,268.33

ATTACHMENT 1
PAGE 1 OF 4

Run Date: 7/2/2012 5:06:46 PM

Inv. No.	Description	CUSIP	Purchase / Maturity	Coupon / YTM TR	Current Par /Share / Current Book	Market Value / Market Price	Curr Accr Int / Price Source
			04/04/2016	1.090000	2,000,000.00	100.406250	SUNGARD
16923	FNMA	3136G0KQ3	05/25/2012	1.200000	2,000,000.00	2,001,875.00	2,400.00
			05/23/2017	1.200000	2,000,000.00	100.093750	SUNGARD
			Subtotal	**1.204000**	**20,000,000.00**	**20,127,500.00**	**46,975.28**
				1.204000	**20,000,000.00**	**100.637500**	
Inv Type: 17 FEDERAL FARM CREDIT BANK BONDS							
16901	FFCB	31331KXC9	09/06/2011	1.500000	2,000,000.00	2,005,000.00	9,583.33
			09/06/2016	1.500000	2,000,000.00	100.250000	SUNGARD
16902	FFCB	31331KXC9	09/06/2011	1.500000	2,000,000.00	2,005,000.00	9,583.33
			09/06/2016	1.500000	2,000,000.00	100.250000	SUNGARD
16905	FFCB	31331KG61	10/19/2011	1.290000	2,000,000.00	2,005,000.00	5,160.00
			10/19/2015	1.290000	2,000,000.00	100.250000	SUNGARD
16908	FFCB	31331KL24	10/26/2011	1.540000	2,000,000.00	2,008,125.00	5,561.11
			10/26/2016	1.540000	2,000,000.00	100.406250	SUNGARD
16911	FFCB	31331K5T3	01/11/2012	1.020000	2,000,000.00	2,006,250.00	9,633.33
			01/11/2016	1.020000	2,000,000.00	100.312500	SUNGARD
16918	FFCB	3133EAJW9	04/02/2012	.740000	2,000,000.00	2,005,000.00	3,658.89
			04/02/2015	.740000	2,000,000.00	100.250000	SUNGARD
16920	FFCB	3133EAPB8	05/02/2012	1.230000	2,000,000.00	2,003,750.00	4,031.67
			05/02/2017	1.230000	2,000,000.00	100.187500	SUNGARD
16925	FFCB	3133EATT5	06/12/2012	1.100000	2,000,000.00	1,994,375.00	1,161.11
			06/12/2017	1.100000	2,000,000.00	99.718750	SUNGARD
			Subtotal	**1.240000**	**16,000,000.00**	**16,032,500.00**	**48,372.77**
				1.240000	**16,000,000.00**	**100.203125**	
Inv Type: 23 OTHER GOVERNMENT AGENCIES							
16906	FHLMC	3134G2Y89	10/24/2011	1.000000	2,000,000.00	2,003,125.00	3,722.22
			04/24/2015	1.000000	2,000,000.00	100.156250	SUNGARD
16912	FHLMC	3134G3GP9	01/11/2012	1.250000	2,000,000.00	2,008,750.00	11,805.56
			01/11/2017	1.250000	2,000,000.00	100.437500	SUNGARD
16915	FHLMC		02/24/2012	.850000	2,000,000.00	2,000,000.00	5,997.22
			02/24/2016	.850000	2,000,000.00	100.000000	BOOK
16922	FHLMC	3134G3UQ1	05/15/2012	1.150000	2,000,000.00	2,000,625.00	2,938.89
			05/15/2017	1.150000	2,000,000.00	100.031250	SUNGARD
			Subtotal	**1.062500**	**8,000,000.00**	**8,012,500.00**	**24,463.89**
				1.062500	**8,000,000.00**	**100.156250**	
Inv Type: 81 MUNICIPAL BONDS							
16873	MUNI	544587US5	11/23/2010	3.185000	1,000,000.00	1,000,000.00	5,308.33
			11/01/2013	3.185000	1,000,000.00	100.000000	BOOK
			Subtotal	**3.185000**	**1,000,000.00**	**1,000,000.00**	**5,308.33**

ATTACHMENT 1
PAGE 2 OF 4

Inventory by Market Value

CITY OF OXNARD
TREASURER'S OFFICE
AS OF DATE: 6/30/12

OXNARD

Run Date: 7/2/2012 5:06:46 PM

Inv. No.	Description	CUSIP	Purchase / Maturity	Coupon / YTM TR	Current Par./Share / Current Book	Market Value / Market Price	Curr Accr Int / Price Source
				3.185000	1,000,000.00	100.000000	
Inv Type: 85 DEPOSIT NOTES							
16844	MTN	36962G4L5	07/08/2010	3.500000	2,000,000.00	2,108,750.00	388.89
			06/29/2015	3.500000	2,000,000.00	105.437500	SUNGARD
16868	MTN	931142CX9	10/25/2010	1.500000	2,000,000.00	2,045,312.50	5,500.00
			10/25/2015	1.510420	1,999,300.66	102.265625	SUNGARD
16926	MTN	36962G5Y6	06/07/2012	1.500000	2,000,000.00	1,983,125.00	2,583.33
			05/30/2017	1.506253	1,999,983.33	99.156250	SUNGARD
			Subtotal	**2.166746**	**6,000,000.00**	**6,137,187.50**	**8,472.22**
				2.172303	**5,999,283.99**	**102.286458**	
Inv Type: 99 PASSBOOK INTEREST							
16434	LOCAL AGENCY INVEST		07/01/2002	.370000	50,000,000.00	50,000,000.00	43,376.42
			07/01/2012	.370000	50,000,000.00	100.000000	BOOK
			Subtotal	**.370000**	**50,000,000.00**	**50,000,000.00**	**43,376.42**
				.370000	**50,000,000.00**	**100.000000**	
Grand Total			**Count 36**	.930541	119,000,000.00	119,517,812.50	242,437.52
				.930995	118,998,283.99	100.435137	

***Includes Accrued Discount:** **$300.66**

Earned Interest Yield This Period: **0.95%**

"Per Government Requirements, there are adequate funds available to meet budgeted and actual expenses for the next thirty days"

ATTACHMENT 1
PAGE 3 OF 4

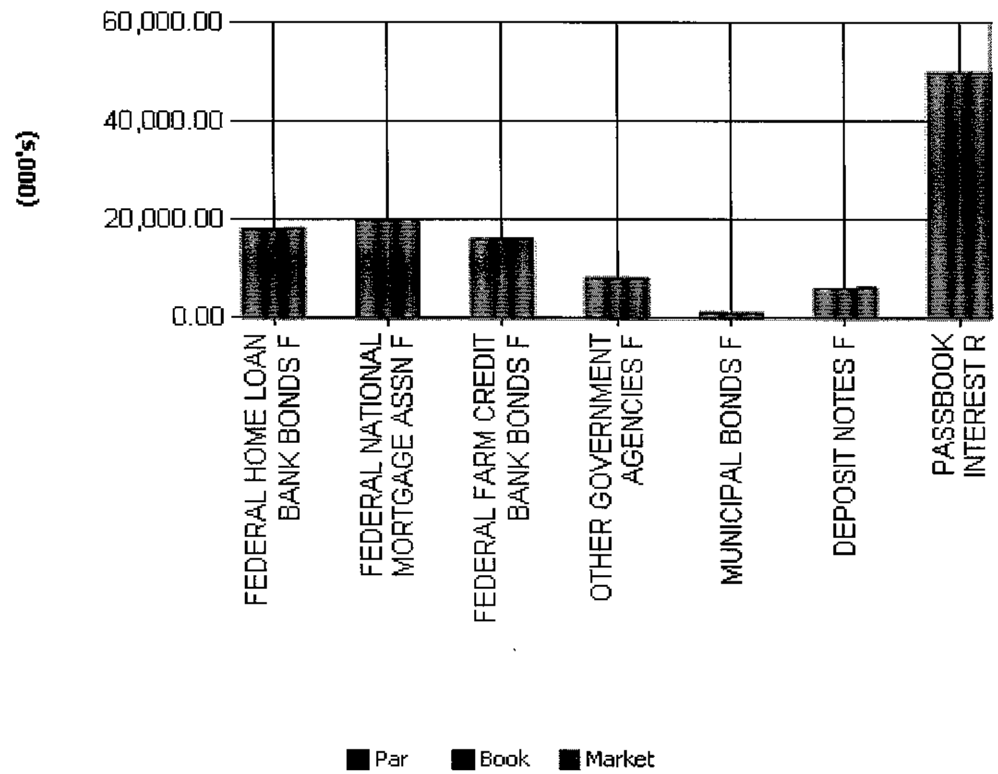
Inventory by Market Value

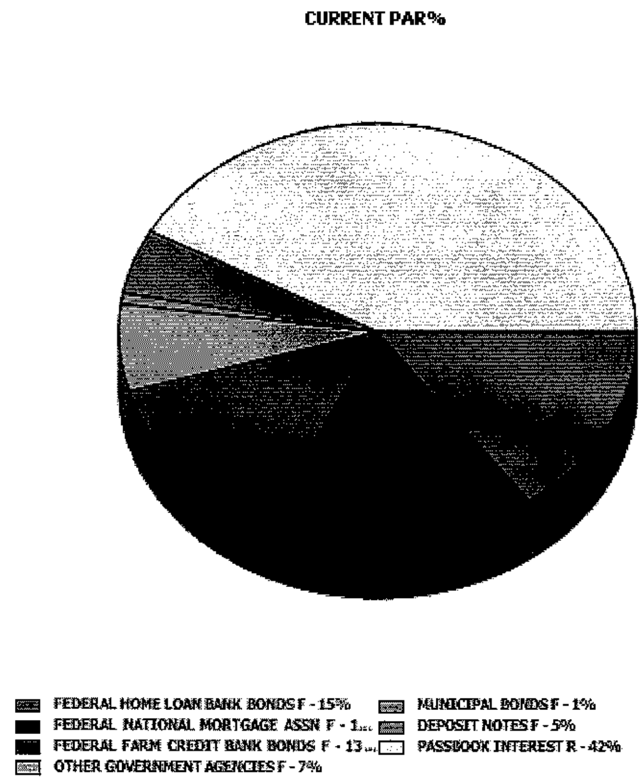
CITY OF OXNARD
TREASURER'S OFFICE
AS OF DATE: 6/30/12

Run Date: 7/2/2012 5:06:46 PM

Assets (000's)	Current Par	Current Book	Market	MKT/Book	Yield
FEDERAL HOME LOAN BANK BONDS F	18,000,000.00	17,999,000.00	18,208,125.00	101.16%	1.31%
FEDERAL NATIONAL MORTGAGE ASSN F	20,000,000.00	20,000,000.00	20,127,500.00	100.64%	1.20%
FEDERAL FARM CREDIT BANK BONDS F	16,000,000.00	16,000,000.00	16,032,500.00	100.20%	1.24%
OTHER GOVERNMENT AGENCIES F	8,000,000.00	8,000,000.00	8,012,500.00	100.16%	1.06%
MUNICIPAL BONDS F	1,000,000.00	1,000,000.00	1,000,000.00	100.00%	3.19%
DEPOSIT NOTES F	6,000,000.00	5,999,283.99	6,137,187.50	102.30%	2.17%
PASSBOOK INTEREST R	50,000,000.00	50,000,000.00	50,000,000.00	100.00%	0.37%
Totals	119,000,000.00	118,998,283.99	119,517,812.50	100.44%	0.93%

Asset Allocation





ATTACHMENT 1
PAGE 4 OF 4

CITY OF OXNARD BENCHMARK COMPARISON
VS. LAIF AND 2-YR TREASURIES
as of June 30, 2012

FISCAL YEAR		CITY	LAIF	2 YR TREASURY
2005/06	12 mo avg	3.70	3.84	4.46
2006/07	12 mo avg	4.24	5.11	4.81
2007/08	12 mo avg	4.68	3.11	3.08
2008/09	12 mo avg	3.79	2.16	1.51
2009/10	12 mo avg	2.34	0.65	0.86
2010/11	12 mo avg	2.02	0.49	0.55
2011/12	12 mo avg	1.34	0.38	0.28
SUBTOTAL - 7 Years		**22.11**	**15.74**	**15.55**
Annual Average (7 years)		**3.16**	**2.25**	**2.22**
Quarterly Average FY 2011-12		*CITY*	*LAIF*	*2 YR TREAS*
	First Quarter	*1.50*	*0.38*	*0.28*
	Second Quarter	*1.46*	*0.38*	*0.26*
	Third Quarter	*1.39*	*0.39*	*0.28*
	Fourth Quarter	*1.02*	*0.36*	*0.29*
		1.34	*0.38*	*0.28*

CITY = CITY OF OXNARD
LAIF = STATE LOCAL AGENCY INVESTMENT FUND
2 YR TREASURY = U S GOVERNMENT TREASURY BILLS - 2 YR MATURITY

ATTACHMENT 2
PAGE 1 OF 1

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09/25/12

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

Prepared By: Paul J. Wendt PJW Agenda Item No. I-4

Reviewed By: City Manager City Attorney SMF Finance JC Other *(Specify)*

DATE: September 11, 2012

TO: City Council

FROM: Paul J. Wendt PJW
Development Services

SUBJECT: **Vacation of Excess Right-of-Way Along the South Side of Gonzales Road East of Williams Drive**

RECOMMENDATION

That City Council adopt a resolution summarily vacating a strip of excess right-of-way along the south side of Gonzales Road east of Williams Drive.

DISCUSSION

On December 20th, 2007, the Planning Commission passed resolution 2007-56 approving Planning and Zoning Permit 07-540-01 for construction of the Artisan Apartment complex at the southeast corner of Gonzales Road and Williams Drive. The project design included redesigning the existing eastbound right turn pocket which results in excess right-of-way. Condition number 199 of the Resolution requires the Developer to prepare and process documentation to effectuate the vacation of the excess right-of-way.

The proposed resolution will summarily vacate a variable width strip of right-of-way along the south side of Gonzales Road. The vacated right-of-way will be incorporated into the landscaping area between the southerly sidewalk and the apartment buildings. The developer has granted additional right-of-way to the City where needed for the new turn pocket location.

The City sent notices of the intent to vacate right-of-way to private utility owners that may have used the City's easement rights under their franchise agreements. We received notice from at least one utility of the existence of facilities within the area being vacated. The proposed vacation document retains a public utility easement over the area being vacated to allow these facilities to remain in place.

The right-of-way being vacated was originally dedicated to the City in 1991 as a part of Parcel Map No. 90-12 recorded in Parcel Map Book 52, Pages 30 through 32, in the office of the County Recorder, in the County of Ventura, State of California.

FINANCIAL IMPACT

There is no anticipated financial impact to the City budget.

(PJW)

Attachment #1 - Resolution vacating a portion of Gonzales Road

City Council of the City of Oxnard

RESOLUTION NO. _______

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD SUMMARILY VACATING A VARIABLE WIDTH STRIP OF GONZALES ROAD RIGHT-OF-WAY EASTERLY OF WILLIAMS DRIVE

WHEREAS, in 1991 the City accepted the right-of-way for a right turn pocket on the south side of Gonzales Road by way of Parcel Map No. 90-12, recorded in Parcel Map Book 52 at Pages 30 through 32, in the Office of the County Recorder of Ventura County; and

WHEREAS, in 2007 the City of Oxnard Planning Commission adopted Resolution No. 2007-56 approving construction of 272 apartments at the southeast corner of the Williams Drive and Gonzales Road intersection which included findings that the project will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate and that the project was in conformance with the General Plan, and a condition requiring the vacation of excess right-of-way resulting from the redesign of the existing roadway required for the project; and

WHEREAS, the Gonzales Road right-of-way described in attached Exhibits "A" and "B" is excess right-of-way not required for street or highway purposes; and

WHEREAS, section 8334(a) of the California Streets and Highways Code authorizes the City Council to summarily vacate the area set forth in Exhibits "A" and "B" as excess right-of-way; and

WHEREAS, section 8334.5 of the California Streets and Highways Code prohibits the summary vacation of right-of-way if in-place public utility facilities that are in use would be affected by the vacation; and

WHEREAS, section 8340(c) of the California Streets and Highways Code authorizes the City to reserve and except from the vacation a public utility easement; and

WHEREAS, the area proposed for vacation as set forth in Exhibits "A" and "B" is unnecessary for present or prospective use and bestows a public benefit by relieving the City of future maintenance duties, costs, and liabilities.

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

1. The City Council hereby finds that all of the above recitals are true and correct.
2. This vacation is made under Chapter 4 of the Public Streets, Highways, and Services Easement Vacation Law (Streets and Highways Code section 8330 et seq.).
3. The summary vacation of a portion of Gonzales Road right-of-way will not cut off all access to any person's property.
4. This vacation includes the reservation and exception of a public utility easement to construct, maintain, operate, replace, remove, or renew public utility facilities, within the area depicted in Exhibits "A" and "B".
5. The City Clerk or designee is hereby authorized and directed to cause a certified copy of this resolution, attested to by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.
6. From and after the date that this resolution is recorded with the Ventura County Recorder, the right-of-way being vacated shall no longer constitute a public right-of-way.

Passed and adopted this ____ day of _____________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

FOR

Alan Holmberg, City Attorney

ATTACHMENT # 1
PAGE 2 OF 5

EXHIBIT "A"
LEGAL DESCRIPTION
Right-of-Way Vacation

Those portions of Gonzales Road shown of Parcel Map No. 90-12 in the City of Oxnard, County of Ventura, State of California, Recorded in Parcel Map Book 52 Pages 30 through 32, in the office of the County Recorder of said County, lying Southerly the following described line:

BEGINNING at a point on the northwesterly line of Parcel 1 of Parcel Map No 90-12 said line shown as North 46° 08' 15" East 38.91 feet said point distant thereon South 46° 02' 29" West 10.09 feet southwesterly of the northeast terminus thereof,

1st Thence, leaving said line South 89° 59' 18" East 225.10 feet to the beginning of a tangent curve concaved southerly, having a radius of 190.00 feet;

2nd Thence, easterly along said curve through a central angle of 08° 59' 30" an arc distance of 29.82 feet;

3rd Thence, South 80° 59' 48" East 31.74 feet to the beginning of a tangent curve concaved northerly, having a radius of 220 feet

4th Thence, easterly along said curve through a central angle of 08° 59' 30" an arc distance of 34.53 feet,

5th Thence, South 80° 59' 18" East 364.07 feet to a point on the northerly line of Parcel 1 of Parcel Map No 90-12 also being the southerly Right-of-Way of Gonzales Road as shown on said map

CONTAINING: 555 square feet, more or less.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.

EXHIBIT "B": Attached and by this reference made a part hereof.

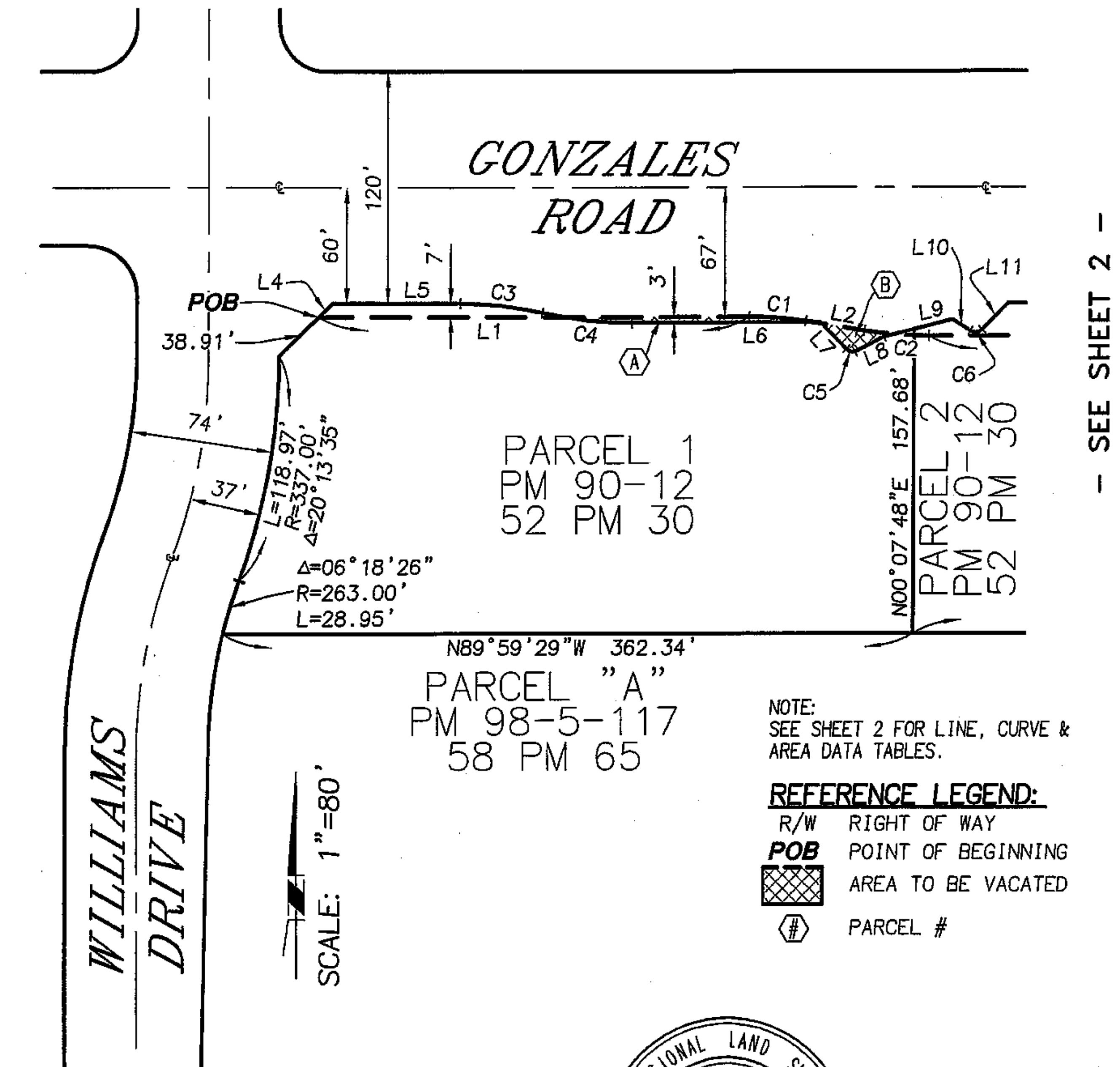
LAND SURVEYOR
MATTHEW J. VERNON
No. PLS 7553
Exp. 12/31/13
OF CALIFORNIA

11/08/2011

Mathew J. Vernon Date
PLS 7553, Exp. 12/31/2013

30100821\CADD\Mapping\Exhibits\821EX007 Vacate.doc

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION



NOTE:
SEE SHEET 2 FOR LINE, CURVE & AREA DATA TABLES.

REFERENCE LEGEND:

R/W	RIGHT OF WAY
POB	POINT OF BEGINNING
	AREA TO BE VACATED
#	PARCEL #

11/8/2011

MATTHEW J. VERNON DATE
PLS 7553, EXP. 12/31/13

PROFESSIONAL LAND SURVEYOR
MATTHEW J. VERNON
No.PLS 7553
Exp.12/31/13
STATE OF CALIFORNIA

RBF CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.383.3373 • FAX 805.383.3371 • www.RBF.com

RIGHT-OF-WAY VACATION
GONZALES ROAD

CITY OF OXNARD
COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 11/08/11
SCALE: 1"=80'
SHEET: 1 OF 2
CAD: DK
CHK'D: MJV

H:\PDATA\30100821\CADD\MAPPING\EXHIBITS\821EX007 VACATE.DWG STEVED 11/8/11 9:37 am

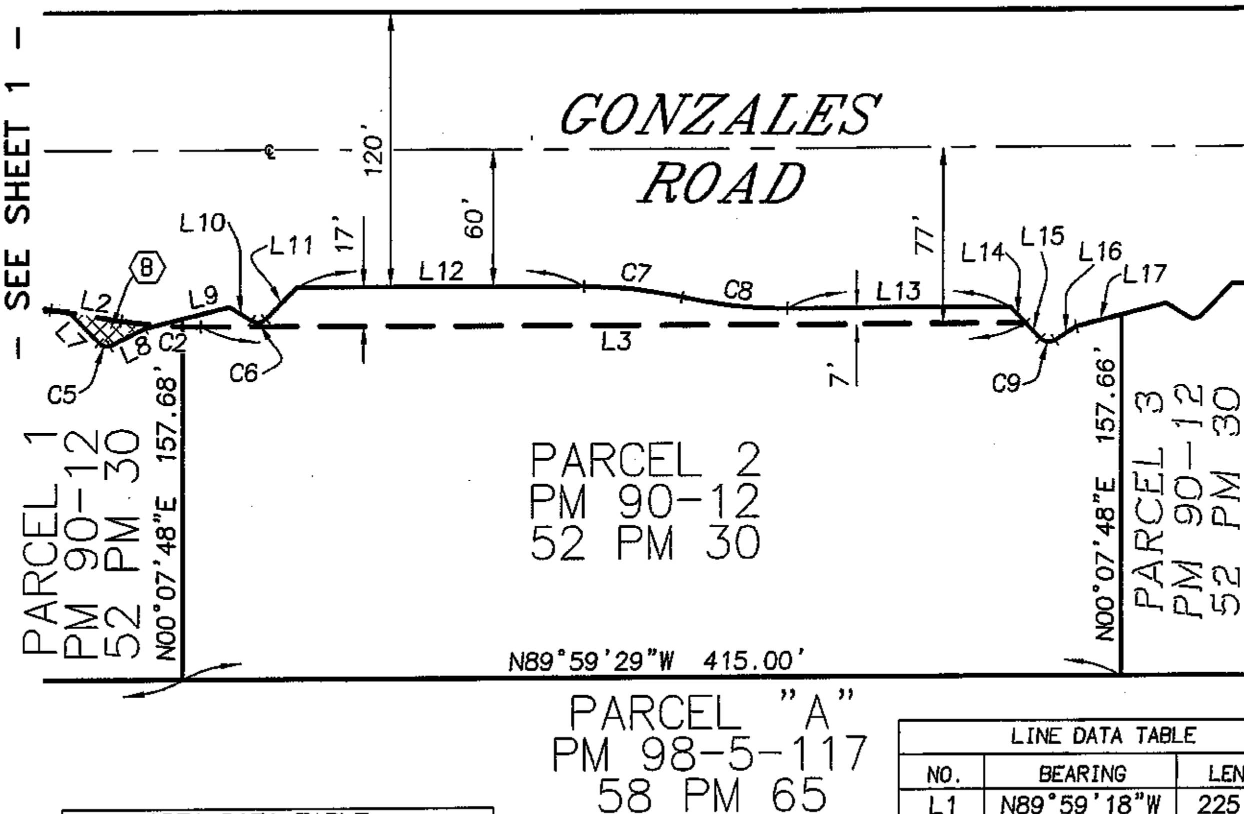
ATTACHMENT # 1
PAGE 4 OF 5

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION

REFERENCE LEGEND:

R/W RIGHT OF WAY
POB POINT OF BEGINNING
AREA TO BE VACATED
⟨#⟩ PARCEL #

SCALE: 1"=80'



AREA DATA TABLE			
⟨#⟩	PARCEL	AREA(SQ')	TYPE
A	R/W	325.11'	VACATE
B	R/W	235.76'	VACATE

CURVE DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	08°59'30"	190.00'	29.82'
C2	08°59'30"	220.00'	34.53'
C3	12°50'19"	192.00'	43.02'
C4	12°50'19"	208.00'	46.61'
C5	57°08'45"	5.00'	4.99'
C6	76°54'14"	5.00'	6.71'
C7	12°50'19"	192.00'	43.02'
C8	12°50'19"	208.00'	46.61'
C9	76°54'14"	5.00'	6.71'

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N89°59'18"W	225.10'
L2	N80°59'48"W	31.74'
L3	N89°59'18"W	364.07'
L4	N46°02'29"E	10.09'
L5	N89°59'18"W	66.46'
L6	N89°59'18"W	100.00'
L7	N44°55'26"W	19.58'
L8	N63°29'50"E	17.26'
L9	N76°05'06"E	37.58'
L10	N58°01'12"W	11.41'
L11	N45°04'34"E	19.55'
L12	N89°59'18"W	126.10'
L13	N89°59'18"W	100.00'
L14	N44°55'26"W	9.89'
L15	N44°55'26"W	9.69'
L16	N58°10'20"E	11.45'
L17	N76°05'06"E	41.83'

RBF CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.383.3373 • FAX 805.383.3371 • www.RBF.com

RIGHT-OF-WAY VACATION
GONZALES ROAD

CITY OF OXNARD
COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 11/08/11
SCALE: 1"=80'
SHEET: 2 OF 2
CAD: DK
CHK'D: MJV

H:\PDATA\30100821\CADD\MAPPING\EXHIBITS\821EX007 VACATE.DWG STEVED 11/8/11 9:22 am

ATTACHMENT # 1
PAGE 5 OF 5

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09/25/12

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

Prepared By: Paul J. Wendt ______ Agenda Item No. I-5

Reviewed By: City Manager ______ City Attorney SMF Finance ______ Other *(Specify)*

DATE: September 11, 2012

TO: City Council

FROM: Paul J. Wendt
Development Services

SUBJECT: **Planning and Zoning Permit No. 12-660-01 (Street Vacation)**
Vacation of a Four Foot Wide Strip Right-of-Way Along the East Side of I Street Southerly of Wooley Road, adjacent to Oralia's Bakery

RECOMMENDATION

That City Council adopt a resolution summarily vacating a four foot wide strip (616 square feet) of excess right-of-way along the east side of I Street southerly of Wooley Road.

DISCUSSION

On February 27th, 2012, the Development Services Director adopted Resolution No. 11-500-01 approving Development Design Review Permit (DDR) No. 11-500-01 for construction of a 1,681 square foot addition to an existing building (operating as Oralia's Bakery) and parking and landscaping improvements. The property is addressed 942 West Wooley Road and is located at the southeast corner of Wooley Road and I Street. The project design includes the addition of architectural treatments along the I Street frontage of the existing bakery building. The project also includes replacement of the existing I Street sidewalk along the project frontage with a six foot wide sidewalk, which is considered a minor alignment project. The City currently has a right-of-way that extends ten feet behind the I Street curb face. A condition of the DDR approval requires the Developer to petition the City to vacate the excess I Street right-of-way.

The proposed resolution will summarily vacate a four foot wide strip of right-of-way along the east side of I Street (approximately 616 square feet). The vacated right-of-way will be incorporated into the landscaping area between the widened sidewalk and the existing building. The vacated right-of-way will align the sidewalk to allow for the addition of architectural features to the building façade which is located at the current property line.

The proposed vacation document retains a public utility easement over the area being vacated to allow exiting facilities, including poles and overhead utility lines to remain in place.

The right-of-way being vacated was originally dedicated to the City on a Map recorded October 29, 1945 in Book 13, Pages 79 through 80 of Miscellaneous Records (Maps), in the office of the County Recorder, County of Ventura, State of California.

FINANCIAL IMPACT

There is no anticipated financial impact to the City budget.

(PJW)

Attachment #1 - Resolution

City Council of the City of Oxnard

RESOLUTION NO. _______

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD SUMMARILY VACATING A FOUR FOOT WIDTH STRIP OF I STREET RIGHT-OF-WAY SOUTH OF WOOLEY ROAD

WHEREAS, the City accepted the right-of-way I Street via a Map recorded October 29, 1945 in Book 13 at Pages 79 through 80, in the Office of the County Recorder of Ventura County; and

WHEREAS, the City of Oxnard Development Services Director adopted Resolution No. 11-500-01, one purpose of which is to align the public sidewalk along I Street at the subject location, and which included a finding that the proposed use and vacation of right-of-way is in conformance with the 2030 General Plan; and

WHEREAS, the I Street right-of-way described in attached Exhibits "A" and "B" is excess right-of-way not required for street or highway purposes; and

WHEREAS, section 8334(a) of the California Streets and Highways Code authorizes the City Council to summarily vacate the area set forth in Exhibits "A" and "B" as excess right-of-way; and

WHEREAS, section 8334.5 of the California Streets and Highways Code prohibits the summary vacation of right-of-way if in-place public utility facilities that are in use would be affected by the vacation; and

WHEREAS, section 8340(c) of the California Streets and Highways Code authorizes the City to reserve and except from the vacation a public utility easement; and

WHEREAS, the area proposed for vacation as set forth in Exhibits "A" and "B" is unnecessary for present or prospective use; and

WHEREAS, the proposed vacation of the area set forth in Exhibits "A" and "B" bestows a public benefit by aligning the public sidewalk and relieving the City of future maintenance duties, costs, and liabilities.

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

1. The City Council hereby finds that all of the above recitals are true and correct.
2. This vacation is made under Chapter 4 of the Public Streets, Highways, and Services Easement Vacation Law (Streets and Highways Code section 8330 et seq.).
3. This vacation is found to be part of an alignment project for the subject right-of-way and of a minor nature; therefore, the provisions of Government Code section 65402(a) do not apply.
4. The proposed summary vacation of a portion of I Street right-of-way will not cut off all access to any person's property.
5. This vacation includes the reservation and exception of a public utility easement to construct, maintain, operate, replace, remove, or renew public utility facilities.
6. The City Clerk or designee is hereby authorized and directed to cause a certified copy of this resolution, attested to by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.

7. From and after the date that this resolution is recorded with the Ventura County Recorder, the right-of-way being vacated shall no longer constitute a public right-of-way.

Passed and adopted this ____ day of ______________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

____
Dr. Thomas E. Holden, Mayor

ATTEST:

____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

FOR
Alan Holmberg, City Attorney

ATTACHMENT # 1
PAGE 2 OF 4

EXHIBIT 'A'
STREET VACATION

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE EASTERLY 4.00 FEET OF THAT STREET DESIGNATED AS "I" STREET AS SHOWN ON MAP RECORDED OCTOBER 29, 1945 IN BOOK 13, PAGES 79-80 OF MISCELLANEOUS RECORDS, (MAPS) IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF VENTURA, STATE OF CALIFORNIA.

THE SOUTHERLY TERMINUS OF SAID STRIP TO INTERSECT WITH THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE LOT 1, BLOCK 1, WOOLEY ROAD SUBDIVISION AS SHOWN ON BOOK 13, PAGES 79-80 OF MISCELLANEOUS RECORDS (MAPS).

THE NORTHERLY TERMINUS OF SAID STRIP TO INTERSECT WITH THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF THAT PORTION OF LAND AS DESCRIBED IN BOOK 1236, PAGE 317 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER, SAID COUNTY AND STATE.

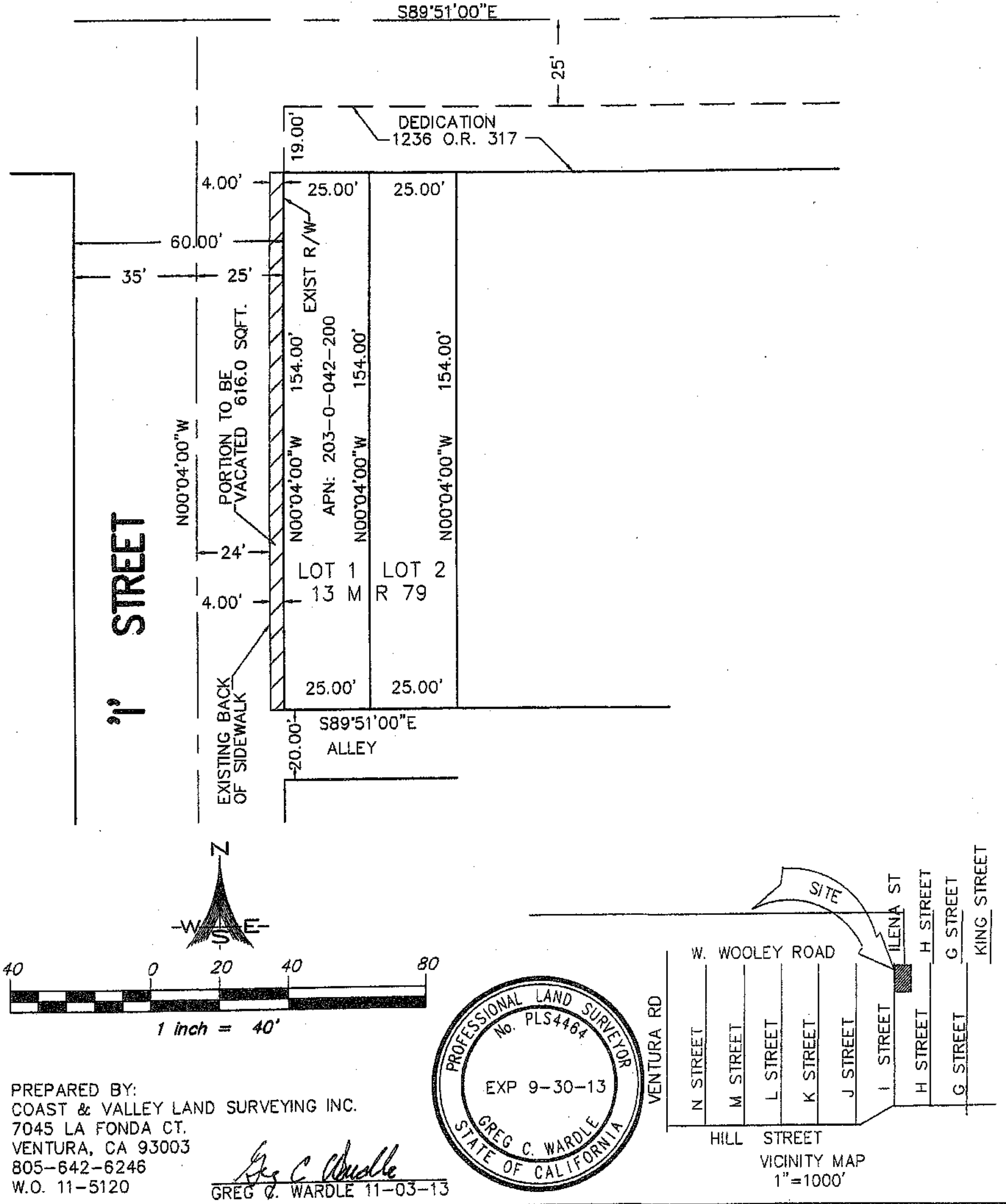
SAID PORTION TO BE VACATED 616 SQFT.

Prepared by:
Coast & Valley Land Surveying Inc.
7045 La Fonda Ct.
Ventura, Ca 93003
8/05-642-6246
W.O. 11-5120

Page 1 of 1

PROFESSIONAL LAND SURVEYOR
No PLS4464
GREG C. WARDLE
STATE OF CALIFORNIA

EXHIBIT 'B'
STREET VACATION



PREPARED BY:
COAST & VALLEY LAND SURVEYING INC.
7045 LA FONDA CT.
VENTURA, CA 93003
805-642-6246
W.O. 11-5120

GREG C. WARDLE 11-03-13

ATTACHMENT # 1
PAGE 4 OF 4

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 9 / 25 / 12

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

Prepared By: Deborah O'Malia, Disaster Preparedness Coordinator DO Agenda Item No. I-6

Reviewed By: City Manager City Attorney Finance Other *(Specify)*

DATE: September 10, 2012

TO: City Council

FROM: Michael O'Malia, Interim Fire Chief
Fire Department

SUBJECT: **Authorization to Accept an Award for Emergency Management Performance Grant in the Amount of $45,588 and Adopt Resolution Authorizing Agents to Act on Behalf of the City.**

RECOMMENDATION

That City Council:

1. Authorize the City Manager to accept a grant award in the amount of $45,588;

2. Authorize the Chief Financial Officer to appropriate the funds and perform all other required financial actions.

3. Adopt a Resolution authorizing the City Manager, the Chief Financial Officer, and the Police Finance Manager to execute for and on behalf of the City, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub granted through the State of California.

SUMMARY

The 2011 EMPG is funded by the U.S. Department of Homeland Security and administered through the Governor's Office of Emergency Services. The funds are distributed to the City on a reimbursement basis through the Ventura County Sheriff's Office of Emergency Services. Grant funds must be used to prevent, prepare for, mitigate against, or recover from natural or man-made emergencies and disasters.

The City will utilize the grant funds to offset costs associated with the Disaster Preparedness Coordinator and support staff's salary. The specific activities of the Disaster Preparedness Coordinator that meet the purpose of the grant include ensuring National Incident Management System (NIMS) compliance, training of Emergency Operations Center (EOC)/City staff and promotion of community readiness through programs such as Community Emergency Response Team (CERT) and Community Disaster Partners Group (CDPG). The 2011 EMPG award will be $45,588.

FINANCIAL IMPACT

This is a reimbursement grant which requires a dollar-for-dollar match. The match is met from general funds approved in the FY 2012-13 budget for the salary of the City's Disaster Preparedness Coordinator. Upon award, the grant will be appropriated to State Term Grants (Fund 217).

DO:ne

Attachment #1 - Oxnard Resolution Authorizing Agents to Act on Behalf of City
#2 - Governing Body Resolution in Approved Grant format

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING AGENTS TO ACT ON BEHALF OF THE CITY

WHEREAS, the City of Oxnard receives federal financial assistance provided by the federal Department of Homeland Security, and subgranted through the State of California; and

WHEREAS, a Governing Body Resolution appointing individuals to act on behalf of the governing body is required as a condition for a grant to be awarded;

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the City Manager, the Chief Financial Officer, and the Police Finance Manager are hereby authorized to execute for and on behalf of the City of Oxnard, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California. This Resolution supersedes Resolution No. 13,742

PASSED AND ADOPTED THIS 25th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____

Dr. Thomas E. Holden, Mayor

ATTEST:

____

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

____

Alan Holmberg, City Attorney

Attachment 1
Page 1 of 1

Governing Body Resolution

BE IT RESOLVED BY THE CITY COUNCIL
(Governing Body)

OF THE CITY OF OXNARD *THAT*
(Name of Applicant)

CITY MANAGER *OR*
(Name or Title of Authorized Agent)

CHIEF FINANCIAL OFFICER *OR*
(Name or Title of Authorized Agent)

POLICE FINANCE MANAGER ,
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California.

Passed and approved this 25TH day of SEPTEMBER , 2012

Certification

I, ____________________, duly appointed and
(Name)

____________________ of the CITY OF OXNARD
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the CITY COUNCIL of the CITY OF OXNARD on the
(Governing body) (Name of Applicant)

25TH day of SEPTEMBER , 2012

____
(Official Position)

____
(Signature)

____
(Date)

Attachment 2
Page 1 **of** 1

Meeting Date: 09/25/12

CITY OF
OXNARD
CALIFORNIA

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

Prepared By: Randy Latimer, Traffic Sergeant RL Agenda Item No. I-7

Reviewed By: City Manager KRB City Attorney SMF Finance JL Other *(Specify)*

DATE: August 30, 2012

TO: City Council

FROM: Jeri Williams, Chief of Police JW
Police Department

SUBJECT: State of California AVOID the 14 DUI Enforcement Grant

RECOMMENDATION

That City Council adopt a resolution:

1. Authorizing the City Manager to execute and submit an application for $145,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2012/13 AVOID the 14 DUI Enforcement Program.
2. Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura, the California State University at Channel Islands, The Ventura County Community College District, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks, designating the City of Oxnard as the lead agency and fiscal agent for the AVOID the 14 grant.
3. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award.
4. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of AVOID the 14 funds.
5. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

DISCUSSION

The State of California, OTS has offered grant funding to assist the County in reducing the impact DUI driving has on our community. The Police Department wishes to apply for the grant titled "AVOID the 14 DUI Enforcement Program" in the amount of $145,000.

Driving Under the Influence (DUI) incidents in Ventura County has been on the downturn since 2008. This downturn has been a direct result of local, state, and nationwide efforts in the prevention and enforcement of DUI laws. One of the DUI reduction strategies is for various local and county law enforcement agencies to join forces in the fight to reduce the number of persons injured or killed as a result of DUI driving.

In 2007, the AVOID coalition was formed in Ventura County with the Oxnard Police Department as the coordinating agency. In a grant funded by the California Office of Traffic Safety (OTS), the coalition agencies work together to set up joint-agency DUI prevention and enforcement operations throughout Ventura County.

The Police Department will administer this grant, thus developing an MOU with each participating agency and handling all fiscal aspects. With this continued grant funding, the participating AVOID coalition agencies will continue collaborating in an effort to keep our county roadways safe.

FINANCIAL IMPACT

The Selective Traffic Enforcement Program Grant will not require a local match contribution. If approved, grant funds will be recognized and appropriated upon award.

Attachment #1 - City Council Resolution approving submittal of grant application

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING SUBMITTAL OF GRANT APPLICATION FOR THE AVOID THE 14 DUI ENFORCEMENT PROGRAM

WHEREAS, City Council Resolution No. 12,053 sets out the procedures by which City staff may submit grant applications, following approval by resolution of the City Council; and

WHEREAS, the Police Department has requested that City Council approve the submittal of an application to the State of California, Office of Traffic Safety for $145,000 in Office of Traffic Safety grant funds, to be used for the AVOID the 14 DUI Enforcement Program.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for grant funds to be used for DUI enforcement and awareness and resolves to recognize grant revenue in the amount of $145,000 from the State of California, Office of Traffic Safety. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the City Manager or designee is authorized to execute a Memorandums of Understanding between coalition agencies and the City of Oxnard; the Chief Financial Officer or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Chief of Police or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS 25th day of September 2012 by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

for

Alan Holmberg, City Attorney

ATTACHMENT NO. 1
PAGE 1 of 1

Meeting Date: 09/25/2012

CITY OF
OXNARD
CALIFORNIA

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

Prepared By: Randy Latimer, Traffic Sergeant ________ Agenda Item No. I-8

Reviewed By: City Manager ____ City Attorney ____ Finance ____ Other *(Specify)* ____

DATE: August 30, 2012

TO: City Council

FROM: Jeri Williams, Chief of Police
Police Department

SUBJECT: **State of California Grant for Selective Traffic Enforcement**

RECOMMENDATION

That City Council adopt a resolution:

1. Authorizing the City Manager to execute and submit an application for $150,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2012/13 Selective Traffic Enforcement Program.
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award.
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of OTS funds.
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

DISCUSSION

The State of California, OTS has offered grant funding to assist the City in reducing the number of injury and fatal traffic collisions that occur on our city's roadways. The Police Department wishes to apply for the grant titled "Selective Traffic Enforcement Program" in the amount of $150,000.

Over the past 17 years, OTS has provided funding for programs that help reduce the amount of fatal and injury-related traffic collisions within the City. A major emphasis has been related to keeping Driving Under the Influence (DUI) drivers off our roadways and to educating City residents about the dangers of drinking and driving. While working in conjunction with OTS, the number of fatal and injury-related traffic collisions in the City has decreased. In addition, alcohol related incidents have also decreased.

This funding will allow continued enforcement and education in order to keep the residents of Oxnard safe from DUI drivers. The City can accomplish this goal by reducing the amount of alcohol-related traffic collisions. Taking different proactive approaches to DUI enforcement, continued public education aimed at the youth in our community, and maximum enforcement on all DUI related crimes are strategies employed in this grant. This grant will also provide funding to address the issue of collisions related to other unsafe driving habits such as speeding, following too close and distracted driving.

This grant looks at continuing with proactive and innovative approaches to combating DUI collisions and will allow the Police Department to continue conducting warrant operations that target multiple DUI offenders who have violated their probation terms and have failed to appear in court.

This grant also looks at targeting the "worst of the worst" and repeat DUI offenders. These offenders are drivers who are already on probation and have suspended or revoked driver licenses; however, these offenders continue to drive motor vehicles and more importantly, drive while intoxicated. Officers will continue to conduct surveillance operations that will result in the arrest of these offenders.

FINANCIAL IMPACT

The Selective Traffic Enforcement Program Grant will not require a local match contribution. If approved, grant funds will be recognized and appropriated upon award.

Attachment #1 - City Council Resolution approving submittal of grant application

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
APPROVING SUBMITTAL OF GRANT APPLICATION FOR THE
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

WHEREAS, City Council Resolution No. 12,053 sets out the procedures by which City staff may submit grant applications, following approval by resolution of the City Council; and

WHEREAS, the Police Department has requested that City Council approve the submittal of an application to the State of California, Office of Traffic Safety for $150,000.00 in Office of Traffic Safety grant funds, to be used for selective traffic enforcement.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for grant funds to be used for selective traffic enforcement and resolves to recognize grant revenue in the amount of $150,000.00 from the State of California, Office of Traffic Safety. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Finance Director or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Chief of Police or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS 25th day of September 2012 by the following vote:

AYES:

NOES:

ABSENT:

____
Dr. Thomas E. Holden, Mayor

ATTEST:

____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

____
Alan Holmberg, City Attorney

ATTACHMENT NO. 1
PAGE 1 of 1

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09 /25 / 12

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

Prepared By: Commander Eric S. Sonstegard ______ Agenda Item No. I-9

Reviewed By: City Manager ______ City Attorney ______ Finance ______ Other *(Specify)*

DATE: September 25, 2012

TO: City Council

FROM: Jeri Williams, Chief of Police
Oxnard Police Department

SUBJECT: **Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding 2012/14**

RECOMMENDATION

That City Council adopt a resolution authorizing the City Manager to submit an application for $500,000 in Board of State and Community Corrections (BSCC) 2012/14 California Gang Reduction, Intervention and Prevention (Cal GRIP) funds to be used to reduce gang and youth violence though direct intervention, job training, and community engagement.

DISCUSSION

The City of Oxnard is eligible to submit a grant application with BSCC for consideration of state funds up to $500,000 over a two-year period. The Cal GRIP grant is designed to provide funding to select cities for gang prevention, intervention, education, job training and skills development, family and community services, and suppression activities.

The grant funds will be used in conjunction with the Oxnard Alliance for Community Strength Project and will provide funding for a Youth Safety Coordinator, Street Outreach, and other select community based organizations in the city's effort to eliminate gang and youth violence. The deadline for submission of the grant is October 8, 2012.

FINANCIAL IMPACT

The grant requires a 100% match of the total grant award. The required match of $500,000 will come from the Police Department's personnel operating budget.

Attachment #1 - Resolution Approving Submittal of Application

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING SUBMITTAL OF GRANT APPLICATION

WHEREAS, City Council Resolution No.12,053 sets out the procedure by which City staff may submit grant applications, following approval by resolution of the City Council; and

WHEREAS, the Police Department has requested that City Council approve the submittal of an application for $500,000 to the Board of State and Community Corrections for California Gang Reduction, Intervention, and Prevention (Cal GRIP) grant funds to be used to reduce gang and youth violence through prevention efforts including direct intervention, job training and skill building, educational opportunities, and community engagement.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for Cal GRIP grant funds to be used to reduce gang and youth violence though direct intervention, job training, and community engagement. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Chief Financial Officer or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; the Chief of Police or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED this 25th day of September, 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 #1
PAGE 1 OF 1

Item # J-1

CITY OF OXNARD CALIFORNIA

INFORMATION ONLY

NO ACTION REQUIRED

DATE: September 12, 2012

TO: City Council

FROM: James Cameron, Chief Financial Officer
Finance Department

SUBJECT: **Monthly Budget Status Report for the Period Ending August 31, 2012 (Fiscal Year 2012-13)**

The monthly budget status report for revenues and expenses include both Governmental and Enterprise Funds for the period ending August 31, 2012. Because this report includes year-end accruals for Fiscal Year 2011-12, there are timing issues on offsetting revenues and expenditures.

Included in the report is a discussion of recent economic trends and significant variances from anticipated revenues and expenditures for the fiscal year.

JC:MM:tr

Attachment #1: Monthly Budget Status Reports

City of Oxnard
Monthly Budget Status Report
For the Period Ending August 31, 2012

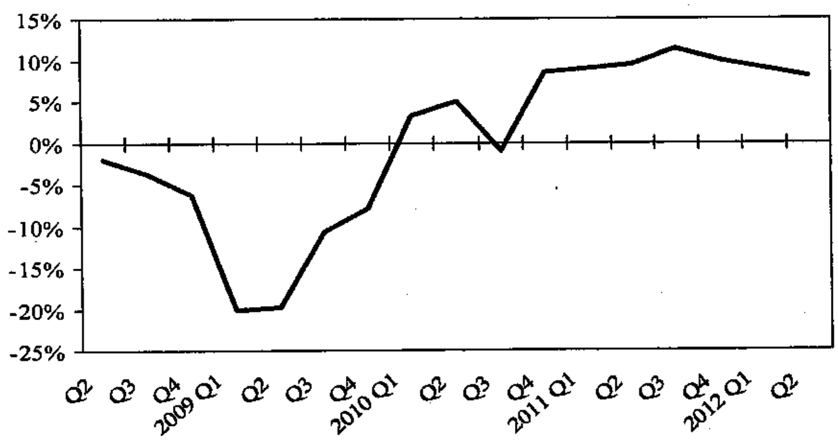
TABLE OF CONTENTS

Economic & Budget Trends

During the past month, there were three important events that should support stable economic growth in the near term. On Sept. 12, the Federal Open Market Committee (FOMC) authorized Quantitative Easing 3 (QE3) consisting of the purchase of $40 billion in Mortgage Backed Securities per month and to continue the current Federal Funds rate through mid 2015. Second, on September 6 the European Central Bank announced a bond buying program to support the Euro and European economies. Finally, the House approved a 6 month spending bill that will keep the government running, addressing at least one potential negative economic uncertainty of the Federal Government.

On the national level, the economic news has been somewhat positive. The unemployment rate fell to 8.1%, although job creation was lower than expected. Housing data continues to support the consensus that the housing market has stabilized. The recently published Thomson Reuters/University of Michigan consumer sentiment index rose to 79.2 this month, up from 74.3 last month. August retail sales at the national level were 4.4% higher than a year ago excluding autos which were up 12.3%. The most recent reading for Oxnard's sales tax indicated almost 8% growth for the 2nd quarter compared to a year ago.

The following Chart shows City of Oxnard sales tax year over year percentage changes.



The City's General Fund benefited from 9% growth in sales tax revenues for fiscal year 2011-12, while total General Fund revenues grew 3%. General Fund revenues were close to half a million dollars higher than budgeted and City departments successfully closed the $3 million gap previously reported.

The financial results from last fiscal year and current economic trends generally support the 2% increase in General Fund revenues budgeted for fiscal year 2012-13.

City of Oxnard
General Fund
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
OPERATING REVENUES AND EXPENDITURES				
Operating Revenues				
Taxes:				
Property Taxes	$ 25,888,000	$ 25,888,000	$ 1,508	a
Property Tax in-lieu of Vehicle License Fee	14,310,000	14,310,000	-	
Sales Tax	25,245,000	25,245,000	(211,086)	b
Other Taxes and Fees	12,469,000	12,469,000	1,063,932	c
Licenses and Permits	1,984,000	1,984,000	360,740	
Intergovernmental	12,956,140	12,956,140	1,546,044	c
Charges for Services	11,023,518	11,023,518	1,137,866	
Fines and Forfeitures	653,000	653,000	(14,130)	c
Investment Earnings	216,000	216,000	11,604	
Miscellaneous	3,956,000	3,956,000	227,298	
Total Operating Revenues	**$ 108,700,658**	**$ 108,700,658**	**$ 4,123,776**	
Operating Expenditures				
General Government	10,546,550	10,565,950	1,329,700	
Public Safety	63,681,364	63,681,364	8,493,398	
Transportation	3,745,333	3,715,333	418,299	
Community Development	9,543,962	9,492,562	1,449,806	
Culture and Recreation	15,716,274	15,778,274	2,324,662	
Total Operating Expenditures	**$ 103,233,483**	**$ 103,233,483**	**$ 14,015,865**	
NET REVENUES FROM OPERATIONS	**$ 5,467,175**	**$ 5,467,175**	**$ (9,892,089)**	

Notes:

a Current year receipts reduced for year-end accrual of $1,330,649.

b Current year receipts reduced for year-end accrual of $4,582,486 to prior year.

c Actual amounts reflect accrual reversals for receipts recognized in the prior year in the amount of $745,340.

City of Oxnard
General Fund
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
NON-OPERATING SOURCES AND USES				
Non-operating Sources				
Transfers in	$ 37,000	$ 37,000	$ -	
Sub-total Non-operating Sources	37,000	37,000	-	
Non-operating Uses				
Capital outlay	75,000	75,000	-	
Transfers out	5,429,175	5,429,175	150,860	d
Sub-total Non-operating Uses	5,504,175	5,504,175	150,860	
NET NON-OPERATING SOURCES AND USES	**$ (5,467,175)**	**$ (5,467,175)**	**$ (150,860)**	
USE OF FUND BALANCE				
Use of Reserve for Encumbrances	-	-	-	
From Available Fund Balance	-	-	10,042,949	e
TOTAL USE OF FUND BALANCE	**$ -**	**$ -**	**$ 10,042,949**	
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**	

Notes:

d Transfers out are internal payments to other funds made at the time obligations are due in the target fund.

e Temporary use of fund balance due to lag in property taxes and recognition of future years.

City of Oxnard
Measure O 1/2 Cent Sales Tax
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	$ 11,000,000	$ 11,000,000	$ - a
Investment Earnings	90,000	90,000	8,047
Total Operating Revenues	**$ 11,090,000**	**$ 11,090,000**	**$ 8,047**
Operating Expenditures			
General Government	-	-	-
Public Safety	2,833,460	2,833,460	441,462
Transportation	900,000	900,000	61,609
Community Development	350,000	350,000	12,939
Culture and Recreation	1,295,000	1,295,000	22,181
Total Operating Expenditures	**$ 5,378,460**	**$ 5,378,460**	**$ 538,191**
NET REVENUES FROM OPERATIONS	**$ 5,711,540**	**$ 5,711,540**	**$ (530,144)**
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Proceeds from Lease Purchase Agreement	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Interest Expense	-	-	-
Payment of Principal	-	-	-
Capital Outlay	700,000	700,000	48,055
Sub-total Non-operating Uses	700,000	700,000	48,055
NET NON-OPERATING SOURCES AND USES	**$ (700,000)**	**$ (700,000)**	**$ (48,055)**
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	-	-
Appropriated Fund Balance	-	-	578,199
TOTAL USE OF FUND BALANCE	**$ -**	**$ -**	**$ 578,199**
FISCAL YEAR BALANCE	**$ 5,011,540**	**$ 5,011,540**	**$ -**

Notes:

a Current year receipts reduced for year-end accrual of $3,022,800 to prior year.

City of Oxnard
Grant Funds
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Intergovernmental	$ 5,465,141	$ 9,358,256	$ 629,052
Fines and forfeitures	-	-	11,480
Investment Earnings	-	-	1,177
Miscellaneous	-	100,731	111,347
Total Operating Revenues	**$ 5,465,141**	**$ 9,458,987**	**$ 753,056**
Operating Expenditures			
General Government	-	-	-
Public Safety	200,000	3,293,270	233,491
Transportation	-	-	-
Community Development	3,604,704	3,878,782	466,889
Culture and Recreation	186,103	190,600	24,693
Total Operating Expenditures	**$ 3,990,807**	**$ 7,362,652**	**$ 725,073**
NET REVENUES FROM OPERATIONS	**$ 1,474,334**	**$ 2,096,335**	**$ 27,983**
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Capital Outlay	1,477,414	2,149,414	257,547
Transfers out	-	-	-
Sub-total Non-operating Uses	1,477,414	2,149,414	257,547
NET NON-OPERATING SOURCES AND USES	**$ (1,477,414)**	**$ (2,149,414)**	**$ (257,547)**
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	49,999	49,999
From Available Fund Balance	3,080	3,080	179,565
TOTAL USE OF FUND BALANCE	**$ 3,080**	**$ 53,079**	**$ 229,564**
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**

Notes:

City of Oxnard
Other Governmental Funds
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
OPERATING REVENUES AND EXPENDITURES				
Operating Revenues				
Taxes	$ 13,516,600	$ 13,516,600	$ 259,336	
Licenses and Permits	755,314	755,314	697,162	
Intergovernmental	5,921,041	5,921,041	1,077,553	
Growth and Development Fees	1,808,100	1,808,100	164,203	
Charges for services	55,300	55,300	6,574	
Fines and forfeitures	400,000	400,000	(44,921)	
Investment Earnings	690,716	690,716	28,877	
Special Assessments	8,046,810	8,046,810	144,249	
Miscellaneous	793,600	793,600	118,674	
Total Operating Revenues	**$ 31,987,481**	**$ 31,987,481**	**$ 2,451,707**	
Operating Expenditures				
General Government	260,084	260,084	16,289	
Public Safety	19,211,930	19,211,930	2,117,702	
Transportation	5,914,422	5,914,422	657,132	
Community Development	9,400	9,400	-	a
Culture and Recreation	4,779,556	4,779,556	692,811	
Total Operating Expenditures	**$ 30,175,392**	**$ 30,175,392**	**$ 3,483,934**	
NET REVENUES FROM OPERATIONS	**$ 1,812,089**	**$ 1,812,089**	**$ (1,032,227)**	
NON-OPERATING SOURCES AND USES				
Non-operating Sources				
Transfers in	$ 6,335,798	$ 6,335,798	$ -	b
Sub-total Non-operating Sources	6,335,798	6,335,798	-	
Non-operating Uses				
Interest Expense	3,030,074	4,128,419	84,165	
Payment of Principal	3,575,684	3,800,684	342,390	
Capital Outlay	3,207,162	4,928,046	1,950,849	
Transfers out	1,788,471	1,788,471	-	b
Sub-total Non-operating Uses	11,601,391	14,645,620	2,377,404	
NET NON-OPERATING SOURCES AND USES	**$ (5,265,593)**	**$ (8,309,822)**	**$ (2,377,404)**	

City of Oxnard
Other Governmental Funds
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	200,000	200,000
Appropriated Fund Balance	-	1,813,537	1,813,537
From Available Fund Balance	3,453,504	4,484,196	1,396,094
TOTAL USE OF FUND BALANCE	**$ 3,453,504**	**$ 6,497,733**	**$ 3,409,631**
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**

Notes:

a Use of affordable housing in-lieu fees.

b Transfers in/out are internal payments from/to other funds made at the time obligations are due in the target fund.

City of Oxnard
Community Development Commission
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Interest Income	$ -	$ -	$ 10,581
Rental Income	-	-	23,692
Miscellaneous and Reimbursements	-	-	106,914 a
Total Operating Revenues	$ -	$ -	$ 141,187
Operating Expenditures			
Salaries and Wages	-	-	-
Contracts and Services	-	-	-
General and Administrative	-	-	-
Total Operating Expenditures	$ -	$ -	$ -
NET REVENUES FROM OPERATIONS	$ -	$ -	$ 141,187
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Capital Outlay	-	-	-
Interest Expense	-	-	-
Transfers out	-	-	-
Sub-total Non-operating Uses	-	-	-
NET NON-OPERATING SOURCES AND USES	$ -	$ -	$ -
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	-	-	-
Appropriated Fund Balance	-	-	-
From/(To) Operating and Capital Reserves	-	-	-
TOTAL USE OF FUND BALANCE	$ -	$ -	$ -
FISCAL YEAR BALANCE	$ -	$ -	$ 141,187

Notes:

a Housing set-aside deposit.

City of Oxnard
Successor Agency to the Community Development Commission
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
OPERATING REVENUES AND EXPENDITURES				
Operating Revenues				
Taxes	$ -	$ -	$ -	
Rental Income	-	-	779	
Miscellaneous and Reimbursements	-	-	6,460	
Total Operating Revenues	**$ -**	**$ -**	**$ 7,239**	
Operating Expenditures				
Salaries and Wages	-	-	65,040	
Contracts and Services	-	-	104,233	
General and Administrative	-	-	60,337	
Total Operating Expenditures	**$ -**	**$ -**	**$ 229,610**	
NET REVENUES FROM OPERATIONS	**$ -**	**$ -**	**$ (222,371)**	
NON-OPERATING SOURCES AND USES				
Non-operating Sources				
Transfers In	-	-	-	
Investment Earnings	-	-	-	
Sub-total Non-operating Sources	-	-	-	
Non-operating Uses				
Capital Outlay	-	-	140,370	
Interest Expense	-	-	1,003,458	
Project Loans	-	-	-	
Transfers out	-	-	-	
Sub-total Non-operating Uses	-	-	1,143,828	
NET NON-OPERATING SOURCES AND USES	**$ -**	**$ -**	**$ (1,143,828)**	
DEBT FINANCING & USE OF FUND BALANCE				
Payment of principal	-	-	(1,410,000)	
Designated for Authorized Projects & Encumbrances	-	-	-	
From/(To) Operating and Capital Reserves	-	-	2,776,199	a
TOTAL USE OF FUND BALANCE	**$ -**	**$ -**	**$ 1,366,199**	
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**	

Notes:

a Revenues were received from the County in June 2012 for expenditures approved in the Recognized Obligation Payment Schedule for July 2012 to December 2013.

City of Oxnard
Water Funds
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
OPERATING REVENUES AND EXPENDITURES				
Operating Revenues				
Charges for Services	$ 43,810,000	$ 43,810,000	$ 6,070,804	
Security/Contamination Prevention Fees	770,000	770,000	49,065	
Miscellaneous and Reimbursements	5,000	5,000	150,561	
Total Operating Revenues	**$ 44,585,000**	**$ 44,585,000**	**$ 6,270,430**	
Operating Expenditures				
Salaries and Wages	5,014,491	5,014,491	538,140	
Contracts and Services	2,236,046	2,416,212	179,160	
Operating Supplies	1,060,600	1,060,600	38,165	
Water Acquisition	18,784,000	18,784,000	1,757,992	
General and Administrative	4,285,132	4,104,966	539,548	
Total Operating Expenditures	**$ 31,380,269**	**$ 31,380,269**	**$ 3,053,005**	
NET REVENUES FROM OPERATIONS	**$ 13,204,731**	**$ 13,204,731**	**$ 3,217,425**	
NON-OPERATING SOURCES AND USES				
Non-operating Sources				
Transfers In	2,067,900	2,067,900	-	a
Investment Earnings	2,294,000	2,294,000	14,385	
Connection Fees	460,000	460,000	316,389	
Sub-total Non-operating Sources	4,821,900	4,821,900	330,774	
Non-operating Uses				
Capital Outlay (non-debt financed)	3,900,000	3,992,653	378,215	
Interest Expense	11,414,089	11,414,089	2,340,831	
Transfers Out	1,348,277	1,348,277	-	b
Sub-total Non-operating Uses	16,662,366	16,755,019	2,719,046	
NET NON-OPERATING SOURCES AND USES	**$ (11,840,466)**	**$ (11,933,119)**	**$ (2,388,272)**	
DEBT FINANCING & USE OF FUND BALANCE				
Payment of Principal	(3,701,940)	(3,701,940)	(360,515)	
Designated for Authorized Projects & Encumbrances	-	-	-	
Use of Bond Principal	-	-	-	
From/(To) Capital Reserve	2,337,675	2,430,328	(468,638)	
NET USE OF BONDS AND OTHER DEBT FINANCING	**$ (1,364,265)**	**$ (1,271,612)**	**$ (829,153)**	
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**	

Notes:

a Transfers in are internal payments from other funds made at the time obligations are due in the target fund.

b Loan to Golf Fund

City of Oxnard
Wastewater Funds
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	$ 24,380,000	$ 24,380,000	$ 3,125,449
Security/Contamination Prevention Fees	150,000	150,000	-
Miscellaneous and Reimbursements	485,000	485,000	26,859 a
Total Operating Revenues	**$ 25,015,000**	**$ 25,015,000**	**$ 3,152,308**
Operating Expenditures			
Salaries and Wages	6,579,505	6,579,505	780,261
Contracts and Services	4,997,327	4,997,327	580,647
Operating Supplies	1,761,200	1,761,200	206,816
General and Administrative	3,551,920	3,551,920	409,458
Total Operating Expenditures	**$ 16,889,952**	**$ 16,889,952**	**$ 1,977,182**
NET REVENUES FROM OPERATIONS	**$ 8,125,048**	**$ 8,125,048**	**$ 1,175,126**
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Investment Earnings	30,000	30,000	7,630
Connection Fees	380,000	380,000	81,067
Sub-total Non-operating Sources	410,000	410,000	88,697
Non-operating Uses			
Capital Outlay (non-debt financed)	4,275,000	4,275,000	(3,027)
Interest Expense	6,940,157	6,940,157	10,350
Sub-total Non-operating Uses	11,215,157	11,215,157	7,323
NET NON-OPERATING SOURCES AND USES	**$ (10,805,157)**	**$ (10,805,157)**	**$ 81,374**
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(4,487,939)	(4,487,939)	(16,701)
Designated for Authorized Projects & Encumbrances	-	-	(3,027)
Appropriated Fund Balance	-	-	-
From/(To) Capital Reserve	7,168,048	7,168,048	(1,236,772)
NET USE OF BONDS AND OTHER DEBT FINANCING	**$ 2,680,109**	**$ 2,680,109**	**$ (1,256,500)**
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**

Notes:

a Prior period adjustment.

City of Oxnard
Environmental Resources
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts	
OPERATING REVENUES AND EXPENDITURES				
Operating Revenues				
Charges for Services	$ 44,510,000	$ 44,510,000	$ 2,501,359	a
Security/Contamination Prevention Fees	79,000	79,000	-	
Miscellaneous and Reimbursements	255,000	255,000	21,151	
Total Operating Revenues	**$ 44,844,000**	**$ 44,844,000**	**$ 2,522,510**	
Operating Expenditures				
Salaries and Wages	7,062,747	7,062,747	877,882	
Operating Supplies	613,700	613,700	10,972	
Contracts and Services	26,779,699	26,779,699	3,002,849	
General and Administrative	3,764,040	3,764,040	461,807	
Total Operating Expenditures	**$ 38,220,186**	**$ 38,220,186**	**$ 4,353,510**	
NET REVENUES FROM OPERATIONS	**$ 6,623,814**	**$ 6,623,814**	**$ (1,831,000)**	
NON-OPERATING SOURCES AND USES				
Non-operating Sources				
Investment Earnings	170,400	170,400	2,256	
Connection Fees	35,340	35,340	20,030	
Sub-total Non-operating Sources	205,740	205,740	22,286	
Non-operating Uses				
Capital Outlay (non-debt financed)	280,500	280,500	50,208	
Interest Expense	771,452	771,452	4,274	
Transfers out	62,110	62,110	-	b
Sub-total Non-operating Uses	1,114,062	1,114,062	54,482	
NET NON-OPERATING SOURCES AND USES	**$ (908,322)**	**$ (908,322)**	**$ (32,196)**	
DEBT FINANCING & USE OF FUND BALANCE				
Payment of Principal	(3,728,756)	(3,728,756)	(73,613)	
Designated for Authorized Projects & Encumbrances	-	-	-	
Appropriated Fund Balance	-	-	-	
From/(To) Capital Reserve	(1,986,736)	(1,986,736)	1,936,809	
NET USE OF BONDS AND OTHER DEBT FINANCING	**$ (5,715,492)**	**$ (5,715,492)**	**$ 1,863,196**	
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**	

Notes:

a Current year revenues reduced by $2,358,000 accrual to FY 2012

b Transfers out are internal payments to other funds made at the time obligations are due in the target fund.

City of Oxnard
Golf
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	$ 4,021,591	$ 4,021,591	$ -
Miscellaneous and Reimbursements	10,000	10,000	-
Total Operating Revenues	**$ 4,031,591**	**$ 4,031,591**	**$ -**
Operating Expenditures			
Salaries and Wages	66,068	66,068	8,716
Operating Supplies	-	-	-
Contracts and Services	3,938,573	3,938,573	316
General and Administrative	205,716	205,716	29,352
Total Operating Expenditures	**$ 4,210,357**	**$ 4,210,357**	**$ 38,384**
NET REVENUES FROM OPERATIONS	**$ (178,766)**	**$ (178,766)**	**$ (38,384)**
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	1,348,277	1,348,277	-
Investment Earnings	-	-	(955)
Sub-total Non-operating Sources	1,348,277	1,348,277	(955)
Non-operating Uses			
Capital Outlay (non-debt financed)	80,500	80,500	-
Interest Expense	149,097	149,097	7,546
Transfers out	-	-	-
Sub-total Non-operating Uses	229,597	229,597	7,546
NET NON-OPERATING SOURCES AND USES	**$ 1,118,680**	**$ 1,118,680**	**$ (8,501)**
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(939,914)	(939,914)	-
Designated for Authorized Projects & Encumbrances	-	-	12,804
From/(To) Capital Reserve	-	-	-
NET USE OF BONDS AND OTHER DEBT FINANCING	**$ (939,914)**	**$ (939,914)**	**$ 12,804**
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ (34,081)**

Notes:

City of Oxnard
Performing Arts & Convention Center
Budget Status Report
For the Month Ended August 31, 2012
(Unaudited)

	Original Budget	Revised Budget	Actual Amounts
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	$ 450,200	$ 450,200	$ 71,070
Miscellaneous	20,000	20,000	10,622
Total Operating Revenues	**$ 470,200**	**$ 470,200**	**$ 81,692**
Operating Expenditures			
Salaries and Wages	950,194	950,194	148,142
Operating Supplies	300	300	-
Contracts and Services	252,355	252,355	42,933
General and Administrative	172,511	172,511	24,952
Total Operating Expenditures	**$ 1,375,360**	**$ 1,375,360**	**$ 216,027**
NET REVENUES FROM OPERATIONS	**$ (905,160)**	**$ (905,160)**	**$ (134,335)**
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	905,160	905,160	150,860 a
Investment Earnings	-	-	(779)
Sub-total Non-operating Sources	905,160	905,160	150,081
Non-operating Uses			
Capital Outlay	-	-	-
Sub-total Non-operating Uses	-	-	-
NET NON-OPERATING SOURCES AND USES	**$ 905,160**	**$ 905,160**	**$ 150,081**
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Capital Reserve	-	-	(15,746)
NET USE OF BONDS AND OTHER DEBT FINANCING	**$ -**	**$ -**	**$ (15,746)**
FISCAL YEAR BALANCE	**$ -**	**$ -**	**$ -**

Notes:

a Transfers in are internal payments from other funds made at the time obligations are due.

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09/25/12

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

Prepared By: Ashley Golden, Principal Planner Agenda Item No. L-1

Reviewed By: City Manager City Attorney SMF Finance Other *(Specify)*

DATE: September 12, 2012

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager SM
Development Services Department

SUBJECT: **A Review of the Planning Commission's Approval of Special Use Permit No. 11-500-2 for the Reuse of a Vacant Commercial Retail Building and Alcohol Sales for Off-Site Consumption for a Vallarta Market Shopping Center, Located at 2600 N. Vineyard Avenue.**

RECOMMENDATION

That City Council adopt a resolution upholding the Planning Commission's approval for reuse of a vacant building for a shopping center with alcohol sales for off-site consumption, located at 2600 N. Vineyard Avenue.

DISCUSSION

On August 16, 2012, the Planning Commission voted 3-2 to adopt Resolution No. 2012-19 to approve Special Use Permit No. 11-500-2. The project includes a request to reuse an existing single tenant 101,460 square foot vacant commercial retail building (former Home Depot) into a multi-tenant retail building. Vallarta Market would occupy 64,061 square foot (with up to five additional retail tenants within the market), Fallas, a discount retail tenant, would occupy 26,727 square feet, and the remaining 10,671 would be occupied by small individual tenants. The project also includes the demolition of the former outlying tire center building (4,327 square feet) and garden center (20,890 square feet), resulting in an overall reduction of commercial use on the entire project site of 19.9 percent (25,217 square feet). The request includes an application for the Vallarta Market to sell alcohol for off-site consumption. The existing parking lot will be upgraded with new parking striping, landscaping, and loading areas.

In the Planning Commission's deliberation on the proposal, they expressed their concern with the parking and loading at the existing Vallarta Market (1050 S A Street), the potential for increased truck traffic within Oxnard between the two stores, the proximity to vacant El Rio Elementary School, a school bus stop drop-off/pick-up location in close proximity to an alcohol outlet, and the economic impact for smaller businesses along Vineyard Avenue. Some Commissioners felt that the project would help serve the growing residential base of the city and this area, and therefore the project would not have an adverse economic impact on existing markets in the area.

On August 29, 2012 a Notice Requesting Review of this decision was filed by Councilmember Ramirez for review of the project by City Council, to reassess the impact on neighboring residences, schools and businesses (Attachment 8).

School Impacts:

The El Rio School District has a vacant elementary school abutting the subject property. Their district office is also located directly across Ventura Boulevard from the subject property. On Wednesday, August 29, 2012, the Planning Division held a meeting with Mark Krueger, Assistant Superintendent. for Business Services with the Rio School District. Mr. Krueger indicated that the vacant El Rio Elementary School site is not envisioned to re-open to serve students, as is considered surplus property. There are currently three establishments, two of which are located outside City Limits, within 350 feet of the school site selling alcohol for off-site consumption. Mr. Krueger was not aware of any problems encountered by the school due to the existing alcohol uses, and did not feel that an additional alcohol outlet would create an issue.

Members of the Planning Commission were concerned about Vallarta Market selling alcohol in close proximity to high school bus drop-off/pick-up points. The high school bus route is located over 1,200 feet away at Simon Way and N. Vineyard Avenue. There are also three Gold Coast Transit bus routes adjacent to the subject site, which have the potential to carry school aged riders (Attachment 5).

Business & Residence Impacts:

The project site has been vacant for approximately 10 years. In 1985, the site was approved for development for Price Club. In 1988, the site was converted to a Home Depot. In 2002, Home Depot vacated the subject site, and relocated to the Esplanade Shopping Center. In 2005 the City Council approved the site for 259-unit residential development. That permit has expired and it was never built.

The General Commercial 2030 General Plan land use designation provides for retail centers and free-standing commercial uses along arterials. The site zoning, Commercial General Planned Development (C-2-PD) allows the requested retail uses, except for the sale of alcohol, by right. As such, without the request to sell alcohol for off-site consumption, the façade improvements would simply need an administrative permit from the Planning Division and applicable building permits. The project is consistent with both the 2030 General Plan and the zoning. In addition the project is directly related to the following policies of the 2030 General Plan policies

POLICY	POLICY OR TITLE
CD – 4.2	Commercial Revitalization and Redevelopment
CD – 4.4	Commercial Area Aesthetics:
CD – 15.6	Share of Regional Taxable Sales
CD – 16.3	Balanced Economic Base
CD – 16.5	Business Expansion
CD – 18.1	Attract New Business

Along Vineyard Avenue, north of the 101 Freeway off-ramp, to Forest Park Boulevard there are 41 businesses with an active Business Tax Certificate within City boundaries (the east side of Vineyard Ave, just north of this site is not within the City of Oxnard city limits). Of those 41 businesses, eight (8) are classified as eating and drinking establishments (fast food restaurant, donut shop etc.) and three (3) are classified as a grocery or market, including a bakery (Attachment #6). Records provided by the County of Ventura indicate that there are six business of a similar type along Vineyard Avenue from Ventura Boulevard to Central Avenue. Of these six, two are liquor stores, two are grocery stores, and two are gasoline stations with mini-markets. The City of Oxnard Police Report included an additional business located in the County of Ventura that was not included in the Ventura County records (Attachment #7).

A Community Workshop meeting was held on December 19, 2011. In addition to the on-site posting for the Community Workshop, approximately 1,500 notices were mailed to the property owners in the El Rio and El Rio West Neighborhoods. Five community members attended the Community Workshop for this item. The project site was posted at least 10 days prior to the Planning Commission hearing date, an ad was run in the Vida newspaper, and a notice of hearing was mailed to property owners within 300 feet of the subject property. In addition notices of the Planning Commission meeting were mailed to community members that attended the December 19, 2011 Community Workshop for the project. The Planning Division did not receive letters or calls of opposition from any residences. At the Planning Commission meeting one business within the project vicinity spoke against the project and one resident within the project vicinity spoke in favor of the project (there were four other speakers that are not business owners or residents in the project vicinity that spoke on the project).

FINANCIAL IMPACT

The project will be required to pay applicable development fees. In addition occupancy of this vacant building will provide a sales tax revenue stream to the City of Oxnard.

AG

Attachment #1 - Draft City Council Resolution
#2 - Planning Commission Resolution 2012-19
#3 - Planning Commission Staff Report (without attachments)
#4 - Police Report
#5 - Bus Pick Up Points
#6 - Similar Business Types within the City
#7 - Similar Business Types within the County
#8 - Notice Requesting Review by Councilmember Ramirez

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 11-500-02 (SPECIAL USE PERMIT), TO ALLOW REQUEST TO REDEVELOP AN EXISTING SINGLE TENANT 101,460 SQUARE FOOT ABANDONED BUILDING INTO A MULTI-TENANT BUILDING FOR A 64,061 SQUARE FOOT GROCERY STORE (VALLARTA MARKET) WITH UP TO FIVE ADDITIONAL RETAIL TENANTS WITHIN THE MARKET, 10,671 SQUARE FEET OF INDIVIDUAL COMMERCIAL TENANT SPACES, AND A 26,727 SQUARE FOOT TENANT (FALLAS). THE REQUEST INCLUDES AN APPLICATION FOR THE VALLARTA MARKET TO SELL ALCOHOL FOR OFF-SITE CONSUMPTION, LOCATED 2600 NORTH VINEYARD (APN 145-0-232-175), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THOMAS LAYMAN, 20300 VENTURA BLVD, WOODLAND HILLS, CA 91364.

WHEREAS, on August 16, 2012, the Planning Commission adopted Resolution No. 2012-19, approving Planning and Zoning Permit No. 11-500-02 (Special Use Permit), filed by Thomas Layman; and

WHEREAS, Resolution No. 2012-19 imposes 167 conditions of approval regulating the approved development and use; and

WHEREAS, City Councilmember Carmen Ramírez filed a Notice Requesting Review by the City Council; and

WHEREAS, City Council has carefully reviewed the decision of the Planning Commission and all documents constituting the Planning Commission's record pertaining to Planning and Zoning Permit No. 11-500-02; and

WHEREAS, on September 25, 2012, the City Council held a public hearing and received and reviewed written and oral comments related to Planning and Zoning Permit No. 11-500-02; and

WHEREAS, the project is exempt from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction of existing facilities); and

WHEREAS, per Section 15183 of the State CEQA Guidelines, the City Council finds that the project is consistent with the City's 2030 General Plan and related EIR, which analyzed off-site and cumulative impacts of retail use of the subject site at the existing development density, which is higher than the proposed density. Based on the Planning Division's analysis of the proposed project, and its review of the record of proceedings, including the hearing before the Planning Commission, the City Council hereby determines that there are no project-specific environmental effects that:

1. Are peculiar to the project or the parcel on which the project would be located,
2. Were not analyzed as significant effects in the EIR for the 2030 General Plan, with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the 2030 General Plan EIR, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the 2030 General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the 2030 General Plan EIR.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to uphold the Planning Commission's decision of August 16, 2012 based on the findings and conditions set forth in Planning Commission Resolution No. 2012-19, on file in the Planning Division, and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

____
Dr. Thomas E. Holden, Mayor

ATTEST:

____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

FOR
Alan Holmberg, City Attorney

RESOLUTION NO. 2012-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 11-500-2 (SPECIAL USE PERMIT), TO ALLOW REQUEST TO REDEVELOP AN EXISTING SINGLE TENANT 101,460 SQUARE FOOT ABANDONED BUILDING INTO A MULTI-TENANT BUILDING FOR A 64,061 SQUARE FOOT GROCERY STORE (VALLARTA MARKET) WITH UP TO FIVE ADDITIONAL RETAIL TENANTS WITHIN THE MARKET, 10,671 SQUARE FEET OF INDIVIDUAL COMMERCIAL TENANT SPACES, AND A 26,727 SQUARE FOOT TENANT (FALLAS). THE REQUEST INCLUDES AN APPLICATION FOR THE VALLARTA MARKET TO SELL ALCOHOL FOR OFF-SITE CONSUMPTION, LOCATED 2600 NORTH VINEYARD (APN 145-0-232-17), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THOMAS LAYMAN, 20300 VENTURA BLVD, WOODLAND HILLS, CA 91364.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 11-500-2, filed by Thomas Layman in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the project is exempt from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction of existing facilities); and

WHEREAS, per Section 15183 of the State CEQA Guidelines, the Planning Commission finds that the project is consistent with the City's 2030 General Plan and related EIR, which analyzed off-site and cumulative impacts of retail use of the subject site at the existing development density, which is higher than the proposed density. Based on the Planning Division's analysis of the proposed project, the Planning Commission hereby determines that there are no project-specific environmental effects that:

1. Are peculiar to the project or the parcel on which the project would be located,
2. Were not analyzed as significant effects in the EIR for the 2030 General Plan, with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the 2030 General Plan EIR, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the 2030 General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the 2030 General Plan EIR.

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.

2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.

4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.

5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

6. The presumption of undue concentration has been rebutted by a preponderance of evidence, which shows that the establishment is in a retail center where grocery store establishments selling alcoholic beverages for off-site consumption are appropriate.

7. The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division

DEPARTMENTS AND DIVISIONS			
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated August 16, 2012 ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, *G-6*)

7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict

between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, *G-9*)

10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, *G-10*)

11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)

13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)

15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

16. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)

17. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit

application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)

18. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)

19. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)

20. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)

21. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, *PK-6*)

22. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

LANDSCAPE SPECIAL CONDITIONS

23. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements.(PK)

24. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "All new landscaping and irrigation comply with Ordinance No. 2822", which adopted the City of Oxnard Landscape Water Conservation Standards.

25. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

26. The new parking lot landscape finger planters shall be landscaped per the City's Landscape Standards.

27. The trash enclosure shall have evergreen self clinging vines (minimum 5-gallon size) attached to exterior walls.

28. Any existing landscaping and trees which are dead, failing, or missing shall be replaced with new. New landscaping shall conform to the City Landscape Standards, including minimum 24' box size trees. Landscape areas within the fast food tenant site, if failing, shall also be upgraded.

29. Applicant shall bring the Vineyard Avenue landscape street frontage, including the area west of the fast food tenant space, into conformance with the City Landscape Standards to include: (a) replacement of all missing or dying plant materials; (b) 36' high continuous visual screen (at time of planting); (c) street trees (Plantanus mexicana) at 40' O.C. spacing at 36" box size (minimum).

30. Applicant shall bring the Ventura Boulevard frontage landscape into conformation with City Landscape Standards to include a 36' high continuous visual screen (at time of planting).

FIRE DEPARTMENT STANDARD CONDITIONS

31. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)

32. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)

33. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)

34. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)

35. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)

36. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)

37. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

38. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

39. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)

40. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)

41. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)

42. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, *F-13*)

43. Developer shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated. (FD, *F-14*)

44. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)

45. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

46. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

47. Prior to issuance of a certificate of occupancy, Developer shall install a Knox key vault at a location to be determined by the Fire Department.

48. Developer shall ensure Fire Department access through man-gates, either by Knox lock devices or other Fire Department approved means.

49. Developer shall install fire partitions between each tenant space, as required per Chapter 7 of the Building Code.

50. Developer shall provide standby power, as required per Chapter 4 of the Building Code.

PLANNING DIVISION STANDARD CONDITIONS

51. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

52. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)

53. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)

54. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

55. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)

56. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

57. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.

58. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)

59. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

60. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)

61. During construction, Developer shall control dust by the following activities:
    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)

62. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)

63. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

64. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building

permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)

65. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).

66. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. *(PL, PL-50)*

67. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-41*)

68. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, *PL-42*)

69. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, *PL-43*)

70. Before the City issues building permits, Developer shall submit and obtain approval from the Planning Division for a master sign program for the project, which shall indicate on the site plan the elevations, the size, placement, materials, and color of all proposed free-standing and building signs. The square footage of all signs for the project shall not exceed 804 square feet, calculated in accordance with the City Code. (PL/ B, *PL-46*)

71. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

PLANNING DIVISION SPECIAL CONDITIONS

72. Developer shall stripe loading zones for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL)

73. For tenants that have more than one toilet that is open to the public, Developer shall install toilets that have automatic flush sensors. Such toilets shall be included on the plans

submitted for a building permit and shall be maintained and in working order at all times. (PL)

74. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL)

75. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

76. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)

77. Developer shall stripe 4 standard parking stalls, in locations approved by the City's Traffic Engineer, to be used for 9' x 40' loading zones for the in-line tenants. (PL, TR)

78. The approval for alcohol (not the reuse and redevelopment of the site) shall automatically be null and void 12 months from the date of issuance, unless Developer has received from the State Department of Alcoholic Beverage Control a license to sell alcoholic beverages on the project property. (PL)

POLICE DEPARTMENT CONDITIONS APPLICABLE TO ENTIRE PROJECT SITE

79. Any signs, advertisements or decorations placed upon the windows shall not exceed 20% of the overall window area. Additionally, there shall be no other obstructions placed near the windows that exceed 20% of the overall viewing area including display racks, stored products, shades or blinds.

80. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)

81. Permittee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control. This includes the rear of the business. (PL/PD)

82. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies or disposal of trash does not constitute a violation. (PD)

83. The parking lot and adjacent areas of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the area. This includes the rear of the businesses. (PL/PD)

84. There shall be no pay phones installed inside the premises nor shall there be any pay phones installed outside within 100 feet of the premises. (PL/PD)

85. Permittee shall regularly police the area under Permittee's reasonable control (including the rear of the business) and shall not permit the loitering of persons about the premises. (PL/PD)

86. In the areas surrounding the businesses the Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot and other adjacent areas under Permittee's reasonable control. (PD)

87. There shall be no amusement machines or video devices maintained on the premises at any time. (PD)

88. There shall be no self-service displays of any type of tobacco product including, but not limited to cigarettes, cigars and smokeless tobacco.

89. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts.

90. Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery.

91. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically $50).

92. When used, Permittee shall install signage which indicates that employees do not possess keys to safes and that minimal levels of cash are available in register.

93. A copy of these conditions must be maintained on the premises and made available upon the demand of any peace officer at all times. (PL/PD)

POLICE DEPARTMENT CONDITIONS APPLICABLE TO 64,061 SQUARE FOOT GROCERY STORE

94. All managers or supervisors who are responsible for the daily coordination, supervision or managing of employees, shall complete an approved course in Responsible Beverage Sales and Service (RBSS) within sixty days of license granting and/or date of employment. Training can be arranged through the Oxnard Police Department. (PL/PD)

95. There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

96. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit if the Chief finds that there have been significant violations of the use permit conditions and/or ABC permit, or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operation of this use, which the Chief determines, after due process that shall include communication with the owner, is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the Manager shall schedule a hearing on the revocation of the permit by the Planning Commission to be held no more than 30 days after the suspension begins. (PD)

97. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined by Oxnard City Code, the Police Department may initiate Planning Commission review of the existing SUP and the Planning Commission may apply or remove conditions as appropriate to mitigate existing or potential problems.

98. Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

99. Coolers or displays containing alcoholic beverages shall be separated from other, non-alcoholic products and shall be positioned so as to allow maximum visibility to cashiers, clerks, associates or employees. Unless otherwise approved by the Police Department, alcohol displays shall not be positioned near customer entry/exit doors, nor shall they be in a location that allows for an easy and unobstructed path to any entry or exit. It is recommended that the alcohol displays or coolers be positioned where employees have a clear view from their normal work stations of the activity of persons in the alcohol aisle. (PD)

100. Beer, malt beverages and wine coolers, in containers of 40 oz in volume or less, cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.

101. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madiera, Muscat and Vermouth are permitted). (PD)

102. Prominent signs shall be posted stating, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages". These signs shall, at a minimum, be posted at each point of sale and near any alcohol display or areas. (PD)

103. No open floor displays of alcoholic beverages are allowed, including but not limited to "beer mountains" and portable coolers. (PD)

104. Alcoholic beverages shall not be sold between the hours from 11:00 PM to 7:00 AM.

105. Security cameras shall be installed to monitor the premises and be positioned to monitor at minimum the entry/exit, all points of sale, alcohol coolers and the areas immediately surrounding the exterior of the business. The camera system shall comply with the following minimum standards: (PD)

    a. The cameras shall be color cameras, made by a reputable manufacturer and maintained to current industry standards. They shall have low light capability and be capable of identifying persons conducting transactions at the stores' registers or entering/exiting the business.

    b. The system shall utilize a Digital Video Recorder (DVR). The use of videocassette recorders (VHS and other formats) is prohibited. The DVR shall allow recording, live viewing and playback of recorded video for a period of least 30 days. DVR shall perform all recording, viewing (local and remote), playback (local and remote), queries and backup functions simultaneously, with no interruption of any other function.

106. Permittee shall install height gauges at all exit doors.

107. Permittee shall install an electronic intrusion detection system (burglary alarm) that detects portal openings, glass break, and interior motion.

108. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk.

POLICE DEPARTMENT SPECIAL CONDITIONS APPLICABLE TO 64,061 SQUARE FOOT GROCERY STORE

109. Coolers, containers or displays of alcoholic beverages shall be locked or inaccessible during hours of prohibited sale (11:00 PM to 7:00 AM) if the business is open to the general public during those times. (PD)

110. If, at any time, the existing school (El Rio School) located directly north of the project site reinstates educational activities for minors, the sale of flavored malt beverages (commonly referred to as alcopops) is prohibited. Such products are generally sweetened, carbonated alcoholic beverages made with malt or spirits-based alcohol. Examples of such products include Smirnoff Ice, Mike's Hard Lemonade, Bacardi Silver and Jack Daniel's Lynchburg Lemonade. (PD)

111. The sale of energy drinks that contain any amount of alcohol is prohibited. (PD)

112. The self-checkout of alcoholic beverages is strictly prohibited. All transactions involving alcohol shall be completed by an employee who is responsible to ensure the customer is aged 21 or older and that they are not obviously intoxicated. (PD)

113. Any vendors or concession operators located within the business are considered a separate entity and shall not be permitted to exercise the privileges of this permit or the associated ABC license. The sale of alcohol is the sole responsibility and privilege of the applicant (Vallarta Market, or successor/transferee) and shall not extend to any subcontractors, vendors, and consignment or concession operators. (PD)

114. Any display of distilled spirits shall be maintained in locked cabinets at all times or under the direct control of employees. No distilled spirits shall be accessible to customers at any time without assistance from an employee. (PD)

115. The sale of single serving containers of distilled spirits is prohibited.

116. Permittee shall develop a security plan that is approved by the Chief of Police or his designee and that includes comprehensive anti-theft strategies to minimize the risk of thefts related to the availability of alcohol. Such strategies may include but are not limited to anti-theft tags or sensors, product checks by staff at the exits, cart stopping devices and CCTV. Strategies that minimize the likelihood for sales of alcohol to underage customers shall be part of this plan.

ENVIRONMENTAL RESOURCES DIVISION

117. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

118. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.

119. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.

120. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan" ("Occupancy Plan") to the City's Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" shall be submitted to the Environmental Resources Division annually on the anniversary date of the certificate of occupancy for approval.

121. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

122. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)

123. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (DS-2)

124. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a

grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)

125. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)

126. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)

127. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)

128. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)

129. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)

130. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)

131. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)

132. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)

133. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

134. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City ordinances in effect at the time City issues a site improvement permit. Before issuance of a site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation. (DS-13)

135. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction

of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

136. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

137. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

138. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

139. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)

140. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

141. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

142. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

143. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all

applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)

144. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)

145. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

146. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

147. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

148. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)

149. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)

150. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)

151. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site

improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)

152. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

153. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-101)

154. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

155. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 and any revisions) for redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS)

156. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not be limited to, determination of site soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, methods (e.g. Pre-treatment) to minimize long-term occlusion of soil porosity, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not be limited to,

suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Design plans shall implement approved design recommendations. (DS)

157. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)

158. Developer shall construct a minimum 7 foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. The sidewalk width shall be increased to a minimum of 9 feet wide where fronted on both sides by parking spaces. Such parking spaces shall be separated from the sidewalk by a 6 inch minimum height curb. Encroaching parking spaces may be reduced to a depth of 17 feet with 2 feet of vehicle overhang in accordance with City Code. This includes the parking spaces along the newly provided pedestrian connections between the main entrance of the building and the public (Vineyard Ave and Ventura Blvd) Right-of-Way. (DS)

159. Developer shall upgrade/replace all existing onsite trash enclosures to provide double-bin (minimum) trash enclosures (one bin for recycle use) to meet current City standard plate designs including a solid non-combustible roof (8 foot minimum clearance) that prevents stormwater from entering the refuse bins. Each enclosure that will serve a tenant that prepares food shall include a traffic rated drain (or other approved drain) centered in the enclosure to catch all wash water from the trash enclosure. This drain shall connect to the sanitary sewer system via a grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS)

160. Developer shall include a gate opening system compatible with Refuse vehicle radio systems on all gates that provide access to trash enclosures. (DS)

161. Developer shall reconstruct the existing drive entries on Ventura Boulevard and Vineyard Avenue to provide a minimum 48 inch wide level disabled access compliant pedestrian path along the public sidewalk. Reconstruction shall include a minimum 48 inch wide pedestrian path around the existing fire hydrant at the Ventura Boulevard driveway. (DS)

162. Developer shall provide proof of issuance of a valid Caltrans encroachment permit for any improvements that enter into or negatively affect Caltrans' right-of-way. (DS)

163. Developer shall stripe a cross-walk, install associated signage, and construct pedestrian access ramps across the northerly leg of the Ventura Boulevard/Financial Square intersection.

Improvements shall also include construction of ADA compliant sidewalk extension connecting the new cross-walk with the existing sidewalk on the westerly side of Ventura Boulevard. The final design of these improvements is subject to approval of the City Traffic Engineer. (TR)

164. Developer shall install two new bus stops on Ventura Boulevard (one northbound and one southbound) just north of Financial Square. Bus stops shall include benches, signage, and trash receptacles. The final design of these improvements is subject to approval of the City Traffic Engineer. (TR)

165. Developer shall install a bus shelter with solar lighting, bench, trash receptacle, and bike rack at the bus stop along the Vineyard Avenue frontage of the project. Shelter shall be located behind the sidewalk. Developer shall dedicate an approximately 3 foot wide by 20 foot long easement to the City that encompasses the shelter location. Final design and location of the bus stop is subject to approval of the City Traffic Engineer. (TR)

166. Developer shall install a striped diverter and associated signage at the Ventura Boulevard driveway to limit driveway to right turn in and right turn out movements only. (TR)

167. Developer shall comply with all traffic mitigation measures, if any, as determined and required by Caltrans.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of August 2012, by the following vote:

AYES: Commissioners: Mullin, Nash, Huber

NOES: Commissioners: Medina, Stewart

ABSENT: Commissioners: Guevara, Murguia

Stephen H. Huber, Chair

ATTEST: Susan L. Martin, Secretary

CITY OF
OXNARD
CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Ashley Golden, Principal Planner

DATE: August 16, 2012

SUBJECT: Planning and Zoning Permit No. 11-500-2, (Special Use Permit), Located at 2600 North Vineyard Avenue.

1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 11-500-2 for a special use permit, subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to reuse an existing single tenant 101,460 square foot vacant commercial retail building into a multi-tenant retail building with a 64,061 square foot grocery store (Vallarta Market, with up to five additional retail tenants within the market), a 26,727 square foot discount retail tenant (Fallas), 10,671 square feet of small individual commercial tenant spaces, and demolition of the former outlying tire center building (4,327 square feet) and garden center (20,890 square feet), resulting in an overall reduction of commercial use on the entire project site of 19.9 percent (25,217 square feet). The request includes an application for the Vallarta Market to sell alcohol for off-site consumption. The existing parking lot will be upgraded with new parking striping, landscaping, and loading areas. The project is located at 2600 North Vineyard. Filed by Thomas Layman, 20300 Ventura Blvd, Woodland Hills, CA 91364.

3) **Existing & Surrounding Land Uses:** The site is currently occupied with a 101,460 square foot vacant commercial retail building (former Home Depot), 4,327 square foot former tire center, and 20,890 square foot former garden center.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
PROJECT SITE	C2-PD	Commercial General	Vacant-commercial retail
North	Unincorporated	School	School-El Rio School District
East	Unincorporated	Residential Rural Low	Unincorporated/Industrial
South	C2-PD/R2-PD	Commercial General	Self Storage/Residential
West	C2-PD	Commercial General	Commercial

4) **Background Information:** In 1985, the City Council approved a zone change, tentative parcel map, general plan amendment, and planned development permit (PD-417) for the construction and operation of an approximately 110,000 square foot discount membership department store (Price Club). In 1988, the Planning Division approved a minor modification for the conversion of the Price Club to a Home Depot. This minor modification included changes to the parking lot

and a new façade. Various minor modifications were approved during the operation of Home Depot, mainly for the construction and expansion of the garden center. In 2005, the City Council approved a Special Use Permit (04-500-4) and associated density bonus permit, tentative map, and Mitigated Negative Declaration (MND # 05-07) for a 259-unit residential development. Approval for that residential development has since expired and it was never built. The General Plan and zoning was not changed for the residential project as the present C2 zoning also allows residential uses.

Environmental Determination: A negative declaration (ND 85-5) was prepared for the original build-out of the site in 1985 in accordance with the requirements of the California Environmental Quality Act (CEQA). With conversion of the building to Home Depot and addition of an outdoor garden center, a second negative declaration (ND 88-78) was prepared and subsequently adopted in accordance with CEQA.

In addition to the environmental review in ND 85-5 and ND 88-78 of retail use of the site at the same or greater capacity than what is currently proposed, the 2030 General Plan EIR also considered the environmental effects of retail use at the site. Section 15183 (Projects Consistent With A Community Plan, General Plan, Or Zoning) of the State CEQA Guidelines provides that "projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review." The EIR that was certified in 2011 for the 2030 General Plan considered the use of the subject site as a retail center at full capacity. The modeling and discussion of traffic impacts in the 2030 General Plan EIR specifically included trip generation from the subject site based on full retail occupancy of the three existing structures. The proposed project would reoccupy the site for similar retail use with a reduction of about 25,000 square feet (about 20 percent). In that the proposed project is a reuse of an existing commercial center consistent with the 2030 General Plan and zoning for which an EIR was certified, no additional environmental review is required. The 2030 General Plan EIR did not require mitigation specific to this project site or its location.

The State CEQA Guidelines also provide a categorical exemption from the requirements of CEQA for projects involving "[r]eplacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and have substantially the same purpose and capacity as the structure replaced…" (15302(b)) This proposal includes reconstruction of the existing 101,460 square foot retail building, demolition of two smaller retail buildings, and minor alterations to the site including the maintenance and repair of the parking lot area. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment B).

5) Analysis:

a) *General Discussion:* Vallarta Market would serve as the anchor tenant. As part of their business model, up to five subtenants – each with about 950 square feet of area – area proposed within the market. These "concession" spaces would be accessible only during Vallarta Market's normal hours of operations. The request to sell alcohol for off-site consumption is limited to Vallarta Market, and would not be permitted within the concession retail spaces. Fallas, a discount store, will occupy 26,700 square feet, and the remaining 10,671 square feet of building area will be comprised of small tenants ranging in size from 1,057 square feet to 1,500 square feet. Redevelopment of the subject site would start with demolition of two out-buildings totaling 25,217 square feet.

b) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is for General Commercial (CG) which allows retail centers and free-standing commercial uses along major corridors. The proposed uses are retail commercial, and the project is consistent with the 2030 General Plan, as shown below. Approval of development and sale of alcohol for off-site consumption is also consistent with the 2030 General Plan and the property's land use designation.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD – 4.2 CD – 4.4	I	**Commercial Revitalization and Redevelopment**: Encourage upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation. **Commercial Area Aesthetics:** Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities	The site has been vacant for years. This project would beautify and revitalize an existing commercial area by providing a new building façade and landscaping. Furthermore, it would provide shopping opportunities for the surrounding land uses and revitalize the exiting multi-tenant shopping area and fast food tenant on the adjacent parcels.
CD-1.3 CD -18.1 ICS – 6.1	II	Redevelopment to Mixed Use- Attract New Business Transit Facilities for New Developments	Re-use of the existing shopping center for a grocery store, department store, and various retail uses will facilitate attracting new retail businesses to the city and provide services to the

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
ICS – 8.9		Street Crossings	existing neighborhood. In addition the project includes off-site transit improvements for the local bus service including bus shelters and benches, as well as a cross –walk on Ventura Blvd.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project

c) ***Conformance with Zoning Development Standards:*** The proposed development is located in the General Commercial Planned Development (C2-PD) zone district. In accordance with the City Code, the proposed use and redevelopment may be permitted with an approved special use permit. The sale of alcohol for offsite consumption may be permitted with an approved special use permit. Applicable development standards of the C2 zone and the Planned Development designation have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
Max. building height 16-137	2 stories or 35 feet. Additional height may be permitted as part of an SUP (16-530—16-553)	Existing: 32-feet. Main entry extending to 40-feet	YES/SUP
Front yard setback 16-139	10 feet from property line;	Existing: Approximately 400 feet from Vineyard Avenue	YES
Side yard setback 16-140	5 feet. Zero when abuts another C-2 zoned lot.	Existing: Approximately 60-feet from abutting residential development	YES
Rear yard setback 16-141	None if =<16 feet in height; 15 feet if >16 feet in height; 10 feet if abuts an alley.	Existing: Approximately 62-feet	YES
Floor Area Ratio	30% max.	Bldg A: 101,460 SF Bldg B: <u>2,422 SF</u> 103,882 SF (19.5%)	YES
Offstreet parking:	Required: 416 spaces *(1 per 250 SF of gross floor area.)* Loading Zones: 4	Provided: 575 Standard Stalls 19 Compact stalls <u>13 Handicap stalls</u> 607 Total Stalls (117 are in a gated area) Loading Zone: 3	YES, with condition of approval no. 77
Parking space sizes & design: • Standard (16-636 &	• 9'W x 19'L standard stalls.	Applicant to re-strip to city	Yes, with approval of SUP for 9'

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
16-638) • Loading (16-644)	 • 12'W x 40'L x 14'H ; alt size with PC or director approval	standard for standard stalls Compact stalls: 9'W x 16'L Loading: 3 @ 12' w x 40'L x 14" H; 9' W x 40' L for inline tenants	W x 40' L for inline tenants
Parking area Landscape Req. (16-641): • Along streets/alleys • Along interior PLs • Parking/vehicle area (16-641) • Landscape fingers (16-641) • Trees (for lots with 20+)	 • Min. 10' wide strip. • Min. 5' wide perimeter in parking areas. • Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. • 9'W x 20'L - every 10 spaces wit 2 trees. • Min. 40' O.C.	 • Min. 10' wide strip. - Yes • Min. 5' wide perimeter in parking areas. - Yes 11.2% of total lot is landscaped. New parking areas meet City Code. Existing plant material will be enhanced and replaced. Existing perimeter trees will remain.	YES
Fence (16-310)	• Cannot be located in the FY setback area • No chain link in FY • 8' max height	• Not in setback area • No chain link in FY • Existing zone wall is 6' CMU Wrought iron gate for access behind the building;	Yes
Lighting 16-320	Comply with Section 16-320 of the City Code.	Existing lighting conditions will be upgraded	Conditioned

d) ***Site Design:*** The main building sits approximately 400 feet from Vineyard Avenue and 200 feet from Ventura Boulevard. With the exception of the demolition of the former tire center and garden center and the conversion of these areas to parking stalls, the center will retain its basic existing layout with orientation to Vineyard Avenue. The fast food restaurant, fronting Vineyard Avenue, is on a separate parcel, but the landscape planters adjacent and internal to their lot will be refurbished with this project. The shopping center on the corner of Vineyard Avenue and Ventura Blvd (2550 N. Vineyard Avenue) is not a part of the project.

e) *Circulation and Parking*: Re-occupancy of the shopping center includes upgrading most of the existing drive aisles to current City standards, restriping the parking lot area, and conversion of existing compact parking stalls to standard parking widths (9'). New drive aisles, parking stalls, and landscaping will be installed on the north side of the existing building, upon removal of the garden center and tire center.

A traffic study, prepared using cumulative project data consistent with the 2030 General Plan EIR, was prepared for the project. Level of service (LOS) analyses were completed for 11 intersections in the study area for the AM and PM peak hours for existing and cumulative traffic conditions with and without the project. The traffic study indicated that project would generate a project specific impact at the Vineyard Avenue/Collins Street intersection during AM and PM peak hours. The traffic study recommends, and the conditions of approval require, that this project restripe northbound Collins Avenue at its intersection with Vineyard Avenue to provide for a left turn pocket. This would address the LOS impact at that intersection.

The site has three existing access points and one proposed new access point on Vineyard Avenue between 2550 Vineyard Avenue and the fast food restaurant. A traffic diverter is required at the driveway on Ventura Boulevard, which would restrict traffic movements to right turns in and right turns out. A condition of approval requires this diverter be installed prior to occupancy of the subject property. With this traffic diverter, access to the businesses at 2550 Vineyard Avenue will be negatively impacted. To lessen this impact, provide better circulation within the site, and improve safety for the Gold Coast Transit (GCT) bus stop on Vineyard Avenue, the City's Traffic Engineering Division recommends a new driveway on Vineyard Avenue, between the 2550 N. Vineyard Avenue building and the existing fast food restaurant. This driveway is subject to approval by the California Department of Transportation (Caltrans). If Caltrans does not approve the new driveway, the project will be served by one point of access on Vineyard Avenue, one point of access on Financial Square and limited access on Ventura Boulevard. A pedestrian walkway will be provided through the site from Vineyard Avenue to the front of the building. This walkway will provide direct access from the GCT bus stop on Vineyard Avenue to the front of the building.

A GCT bus route runs along Ventura Blvd. This project is conditioned to provide a bench, access ramp, trash can, and a bus stop sign for the GCT bus stop in the southbound direction. The applicant will also provide a cross walk across Ventura Blvd. and a bench, shelter, trash can, and bus stop sign for the northbound Vineyard Avenue stop.

Although reoccupied retail center requires 416 parking stalls, 607 parking stalls are proposed. Of those, 117 of the 607 parking stalls are within a gated area not accessible by the general public. Another 19 of the parking stalls are compact and do not count towards required parking for the site, leaving 471 standard stalls for customer use on the site. Motorcycle stalls were not required under the original permit and are not proposed under the current project. The site is over-parked by 55 stalls and the City Traffic Engineer recommends keeping standard parking stalls rather than converting the stalls to motorcycle stalls.

Four loading zones are required for the proposed uses and three loading zones are provided. These proposed loading zones support the grocery store and discount store anchor tenants. A condition of approval requires the applicant to restripe four parking stalls to create two loading zones for the inline tenants. The reduction of four parking stalls will leave the site with 51 excess parking stalls.

f) ***Building Design:*** The shell of the main building will remain. A new tile roof and wood trellis elements will be provided to distinguish the inline tenant spaces, while raised parapets with cornice details will define the two anchor tenants. The applicant is requesting an increase in height from 35' to 40' for the raised parapet elements, which is allowed with approval of a special use permit. Accent stone veneer and ceramic tile will be provided on the selected columns bases. Ceramic tiles will also be used to accent the exterior building walls of Vallarta Market. Metal trellises with landscaping will be provided along the east, south, and north building walls.

The existing light standards are proposed to remain but will be re-lamped to meet current lighting standards and levels. Existing wall packs will remain on the east side of the building.

g) ***Landscaping and Open Space:*** The existing landscaping plant material will be replaced and/or upgraded as needed to meet City requirements. With approximately 11% of the total lot area landscaped, the site exceeds the overall required 5% landscape area. As part of the project, six trees will be removed. An arborist report was prepared for the removal of the trees and a condition of approval requires the applicant to put the economic value of the trees removed back into the site.

h) ***Alcohol Sales for Off-Site Consumption:*** The applicant has requested an ABC License Type-21, Off- Sale License that allows for the retail sale of beer, wine and distilled spirits. The Oxnard Police Department's (OPD) statistical analysis shows the area to have a crime rate that is approximately 9% higher than the city-wide average, which is not considered to be significant. The OPD Beat Coordinator for the area said the off-site ABC sales from the Vallarta Market would not be considered to be a policing problem. There is one similar alcohol outlet within 350 feet of the site which leads to a presumption of undue concentration. The presumption of undue concentration can be rebutted by a preponderance of evidence that determines the use will not aggravate policing issues.

The primary concern of the OPD is how close the site is to an existing (currently vacant) school and the potential that if the school reopens, there would be some risk associated with the proximity of the ABC off-site sales. There are several regulations that are included with the resolution that can help to minimize the likelihood for conflicts with the students such as restricting advertising, prohibiting single servings, requiring alcohol displays be easily monitored by staff and prohibiting flavored malt beverages or energy drinks with alcohol that are most popular with underage drinkers.

The Police Department's experience is that this type of license (Type 21 – Off-Sale Beer, Wine and Spirits), when properly regulated through conditions imposed by the Planning Commission, does not normally aggravate police and community issues as long as the establishment complies with these regulations and operates responsibly. The Police Department is not opposed to this use and recommends adoption of all of the standard and special conditions listed in the attached Planning Commission resolution.

6) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on October 12, 2011 and June 26, 2012. Recommendations of the DAC are included in the attached resolution.

7) **Community Workshop:** On December 8, 2011, the applicant mailed notices of the Community Workshop meeting to all property owners within the El Rio Neighborhood. A notice of this meeting was posted on the project site with a brief description and contact information. The Community Workshop was conducted on December 19, 2011. Approximately five members of the community attended; mainly neighboring business owners. Some of the surrounding business owners expressed concern over the competition a new grocery store would create for their business.

8) **Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

A. Maps (Vicinity, General Plan, Zoning)
B. Notice of Exemption
C. Reduced Project Plans
D. Police Report
E. Traffic Study
F. Resolution

Prepared by: AG
AG

Approved by: SM
SM

Police Department
Jeri Williams, Police Chief

Date: July 16, 2012

To: Ashley Golden, Principal Planner

From: Cliff Waer, Senior Alcohol Compliance Officer

Subject: 2600 N. Vineyard Ave. (Vallarta Market) **Re: PZ 11-500-02**

Site Information:

The proposed site is an existing, vacant building that was most recently occupied by the Home Depot home improvement center but has been unoccupied for several years. The site is situated on the northeast corner of the intersection of E. Vineyard Ave. (SR 232) and E. Ventura Boulevard. The front doors face west toward the parking lot and Vineyard Avenue.

The site is generally bordered by El Rio School to the north, commercial and residential to the south, commercial and industrial to the east, and Vineyard Avenue and commercial to the west. Other uses nearby include the school, fast food restaurants and a separate, small commercial center with approximately eight storefronts located in the southwest corner of the overall parcel. The nearest similar alcohol outlet is the El Rio/Oxnard Market located across Vineyard Avenue approximately 225 feet away where they sell beer and wine for off-site consumption. The nearest residences are condominium complexes approximately 150 feet to the south and are separated from the proposed site by a block wall. The applicant has requested to obtain an ABC License Type-21 which is an Off-Sale License that allows for the sale of beer, wine and distilled spirits.

*Alcohol outlets located within **350 feet** of the establishment include:*

BUSINESS NAME	LOCATION	LICENSE TYPE	LICENSE TITLE	LICENSE DESC.	ALCOHOL ALLOWED
1. El Rio/ Oxnard Market	2585 E Vineyard	Type 20	Off-Sale Beer and Wine	Convenience Store/Gas Station	Beer and Wine

*Alcohol outlets located within **1000 feet** of the establishment also include:*

BUSINESS NAME	LOCATION	LICENSE TYPE	LICENSE TITLE	LICENSE DESC.	ALCOHOL ALLOWED
1. La Gloria Taqueria	2736 N. Vineyard Ave.	Type 21	Off-Sale General	Small Grocery Store	Beer, Wine and Distilled Spirits
2. El Rio Shell	2778 N. Vineyard Ave.	Type 20	Off-Sale Beer and Wine	Convenience Store/Gas Station	Beer and Wine

Crime Statistic Review:

For comparison purposes the Police Department calculates the average number of part I and II crimes that occur per reporting district (grid) during a selected 12-month period. The average city-wide, per grid base number of Part I and II crimes is currently 117.

The average number of Part I and II crimes in the *applicant's* reporting district and all other districts within 1000 feet of the applicant is 128 during the same 12-month time period. This is 9% higher than the average crime rate citywide which is generally not considered to be significant. The area is not considered to be a policing problem.

The numbers and types of police calls for service were spread relatively evenly throughout the neighborhood and were predominately petty and property crimes. Disturbance and violent incidents were very low and those that listed alcohol as a contributing factor were below citywide averages.

For reference, the category of part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson. Part II crimes include: vandalism, weapons possession, other sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct. Any reference above to "police calls for service" may include all types of police responses to the area, not just the Part I and II crimes that are reported to the federal Uniform Crime Report system (UCR). Such calls may include fights, loud noise, domestics and other disturbances not otherwise classified as Part I or II.

Police Department Input:

The Beat Coordinator who is responsible for monitoring and managing the day-to-day police activity near the location said that the area immediately surrounding the proposed site is not considered to be a policing problem. With the nearby River Park community growing considerably during the past several years, property crimes in the area have also consistently risen. There have been pockets of policing problems further west in the River Park neighborhood but the Police Department does not expect the addition of alcohol sales at this site will aggravate those policing issues.

The Police Department does have a minor concern about the sites close proximity to the El Rio School which is literally next door to the north. The school does not currently have a student population and the site generally serves as storage and administration offices for the Rio School District. District representatives have indicated that there are no existing plans to reopen the school to serve students at this time but that could possibly change at some point in the future. Our concern is that if the school ever reinstitutes educational activities at this site that there may be some conflict with an off-sale alcohol outlet nearby. Generally, it is not desirable to have alcohol outlets so close to schools due to the potential for youth exposure and access to alcohol. Numerous studies have shown that youth exposure to alcohol significantly impacts underage consumption. Increased access and exposure to alcoholic beverages are directly related to incidences of youth consumption and should be carefully considered when determining appropriate locations for new outlets.[1]-[2]

That being said, the Police Department has implemented several unique operating conditions at other sites that were in close proximity to schools and have had good success at reducing the conflicts with students and minimizing exposure to youth. Prohibiting alcohol advertisements, limiting the types and sizes of alcoholic beverages and positioning the alcohol displays to be separate from other, non-alcoholic products and placed where they can be easily monitored by employees should minimize the likelihood for conflicts.

There are a few other locations in Oxnard where there are alcohol outlets near schools, including two that are in very close proximity to high schools where the students are at the highest risk of exposure and access to alcohol. One is literally across the street from a high school which posed some very unique challenges when determining the most appropriate and effective operating conditions to minimize the potential for conflicts. Fortunately, the preventative conditions we included with each of these sites appears to have been effective at preventing problems as there have been no alcohol/student related incidents at any one of the four businesses considered to be in close proximity to the high schools.

One other issue is that there is another, similar alcohol outlet within 350 feet of the proposed site which triggers a local presumption of undue concentration. The Police Department is keenly aware of the potential for problems when multiple alcohol outlets are operating in close proximity to each other. However, in this case, we do not believe the addition of alcohol sales at this site will significantly aggravate policing issues. The overall area is not considered to be saturated with off-sale outlets and virtually all of the establishments within 2000 feet of the site are small-scale markets of convenience stores. The population and activity in the area has increased significantly with the River Park development and a grocery store with alcohol may be an appropriate addition to the neighborhood.

It is the conclusion of the Police Department that, while cautious and mindful of the future potential for conflict with students and proximity to another off-sale outlet, that the concerns can be effectively mitigated with the addition of comprehensive operating conditions and close

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[1] G. Hastings, S. Anderson, E. Cooke, and R. Gordon,"Alcohol advertising and marketing and young people's drinking:a review of the research," *Journal of Public Health Policy* 26 (2005):296-311.
[2] L.B. Snyder, F.F.Milici, M. Slater, H. Sun, and Y. Strizhakova,"Effects of alcohol advertising exposure on drinking among youth," *Archives of Pediatrics and Adolescent Medicine* 160 (2006):18-24.

oversight of the activity at the business. The Police Department strongly recommends that each of the preventative conditions listed below be included in the resolution.

Community Input:

The Police Department contacted several of the businesses nearby and did not receive any negative comments. The River Park neighborhood leaders were made aware of the proposal and as of this writing had not contacted the Police Department with any feedback.

Conclusion:

The statistical analysis shows the area to have a crime rate that is approximately 9% higher than the city-wide average which is not considered to be significant. The Beat Coordinator for the area said it is not considered to be a policing problem. There is one similar alcohol outlet within 350 feet of the site so there is a local presumption of undue concentration. The presumption of undue concentration can be rebutted by a preponderance of evidence that determines the use will not aggravate policing issues and may be appropriate for the area.

The primary concern of the Police Department is how close the site is to an existing (currently vacant) school and the potential that if it reopens, there would be some risk associated with the use. There are several regulations that can be included with the resolution that can help to minimize the likelihood for conflicts with the students such as restricting advertising, prohibiting single servings, requiring alcohol displays be easily monitored by staff and prohibiting flavored malt beverages or energy drinks with alcohol that are most popular with underage drinkers.

The Police Departments experience is that this type of license (Type 21 – Off-Sale Beer, Wine and Spirits), when properly regulated through conditions imposed by the Planning Commission, does not normally aggravate police and community issues, as long as the establishment complies with these regulations and operates responsibly. The Police Department is not opposed to this use and recommends adoption of all of the standard and special conditions listed in the attached Planning Commission resolution.

Police Standard Conditions
(Off-Sale Alcohol Establishments)

1) All managers or supervisors who are responsible for the daily coordination, supervision or managing of employees, shall complete an approved course in Responsible Beverage Sales and Service (RBSS) within sixty days of license granting and/or date of employment. Training can be arranged through the Oxnard Police Department. (PL/PD)

2) There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

3) The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit if the Chief finds that there have been significant violations of the use permit conditions and/or ABC permit, or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operation of this use, which the Chief determines, after due process that shall include communication with the owner, is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the Manager shall schedule a hearing on the revocation of the permit by the Planning Commission to be held no more than 30 days after the suspension begins. (PD)

4) Any signs, advertisements or decorations placed upon the windows shall not exceed 20% of the overall window area. Additionally, there shall be no other obstructions placed near the windows that exceed 20% of the overall viewing area including display racks, stored products, shades or blinds.

5) Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined by Oxnard City Code, the Police Department may initiate Planning Commission review of the existing SUP and the Planning Commission may apply or remove conditions as appropriate to mitigate existing or potential problems.

6) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)

7) Permittee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control. This includes the rear of the business. (PL/PD)

8) Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies or disposal of trash does not constitute a violation. (PD)

9) Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

10) The parking lot and adjacent areas of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the area. This includes the rear of the business. (PL/PD)

11) There shall be no pay phones installed inside the premises nor shall there be any pay phones installed outside within 100 feet of the premises. (PL/PD)

12) Permittee shall regularly police the area under Permittee's reasonable control (including the rear of the business) and shall not permit the loitering of persons about the premises. (PL/PD)

13) In the areas surrounding the business the Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot and other adjacent areas under Permittee's reasonable control. (PD)

14) Coolers or displays containing alcoholic beverages shall be separated from other, non-alcoholic products and shall be positioned so as to allow maximum visibility to cashiers, clerks, associates or employees. Unless otherwise approved by the Police Department, alcohol displays shall not be positioned near customer entry/exit doors, nor shall they be in a location that allows for an easy and unobstructed path to any entry or exit. It is recommended that the alcohol displays or coolers be positioned where employees have a clear view from their normal work stations of the activity of persons in the alcohol isle. (PD)

15) There shall be no amusement machines or video devices maintained on the premises at any time. (PD)

16) Beer, malt beverages and wine coolers, in containers of 40oz in volume or less, cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.

17) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madiera, Muscat and Vermouth are permitted). (PD)

18) Prominent signs shall be posted stating, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages". These signs shall, at a minimum, be posted at each point of sale and near any alcohol display or areas. (PD)

19) No open floor displays of alcoholic beverages are allowed, including but not limited to "beer mountains" and portable coolers. (PD)

20) Alcoholic beverages shall not be sold between the hours from 11:00 PM to 7:00 AM.

21) There shall be no self-service displays of any type of tobacco product including, but not limited to cigarettes, cigars and smokeless tobacco.

22) Security cameras shall be installed to monitor the premises and be positioned to monitor at minimum the entry/exit, all points of sale, alcohol coolers and the areas immediately surrounding the exterior of the business. The camera system shall comply with the following minimum standards: (PD)

    a. The cameras shall be color cameras, made by a reputable manufacturer and maintained to current industry standards. They shall have low light capability and be capable of identifying persons conducting transactions at the stores' registers or entering/exiting the business.

    b. The system shall utilize a Digital Video Recorder (DVR). The use of videocassette recorders (VHS and other formats) is prohibited. The DVR shall allow recording, live viewing and playback of recorded video for a period of least 30 days. DVR shall perform all recording, viewing (local and remote), playback (local and remote), queries and backup functions simultaneously, with no interruption of any other function.

23) Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts.

24) Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery.

25) Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically $50).

26) When used, Permittee shall install signage which indicates that employees do not possess keys to safes and that minimal levels of cash are available in register.

27) Permittee shall install height gauges at all exit doors.

28) Permittee shall install an electronic intrusion detection system (burglary alarm) that detects portal openings, glass break, and interior motion.

29) Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols

that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk.

30) A copy of these conditions must be maintained on the premises and made available upon the demand of any peace officer at all times. (PL/PD)

Police Special Conditions

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1. Coolers, containers or displays of alcoholic beverages shall be locked or inaccessible during hours of prohibited sale (11:00 PM to 7:00 AM) if the business is open to the general public during those times. (PD)

2. If, at any time, the existing school (El Rio School) located directly north of the project site reinstates educational activities for minors, the sale of flavored malt beverages (commonly referred to as alcopops) is prohibited. Such products are generally sweetened, carbonated alcoholic beverages made with malt or spirits-based alcohol. Examples of such products include Smirnoff Ice, Mike's Hard Lemonade, Bacardi Silver and Jack Daniel's Lynchburg Lemonade. (PD)

3. The sale of energy drinks that contain any amount of alcohol is prohibited. (PD)

4. The self-checkout of alcoholic beverages is strictly prohibited. All transactions involving alcohol shall be completed by an employee who is responsible to ensure the customer is aged 21 or older and that they are not obviously intoxicated. (PD)

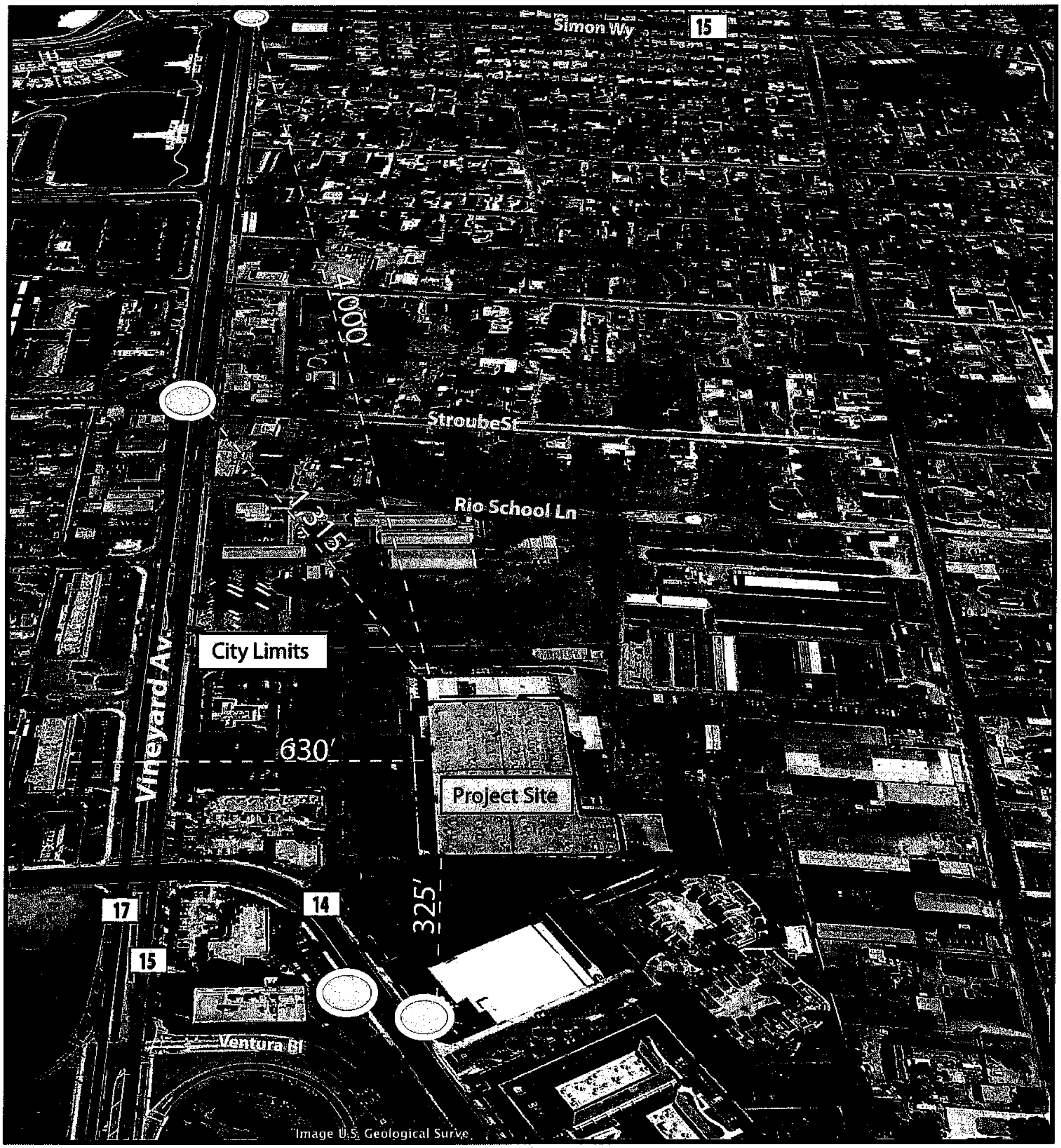
5. Any vendors or concession operators located within the business are considered a separate entity and shall not be permitted to exercise the privileges of this permit or the associated ABC license. The sale of alcohol is the sole responsibility and privilege of the applicant and shall not extend to any subcontractors, vendors, and consignment or concession operators. (PD)

6. Any display of distilled spirits shall be maintained in locked cabinets at all times or under the direct control of employees. No distilled spirits shall be accessible to customers at any time without assistance from an employee. (PD)

7. The sale of single serving containers of distilled spirits is prohibited.

8. Permittee shall develop a security plan that is approved by the Chief of Police or his designee and that includes comprehensive anti-theft strategies to minimize the risk of

thefts related to the availability of alcohol. Such strategies may include but are not limited to anti-theft tags or sensors, product checks by staff at the exits, cart stopping devices and CCTV. Strategies that minimize the likelihood for sales of alcohol to underage customers shall be part of this plan.



Bus Lines & Stops

14 Gold Coast Line 14

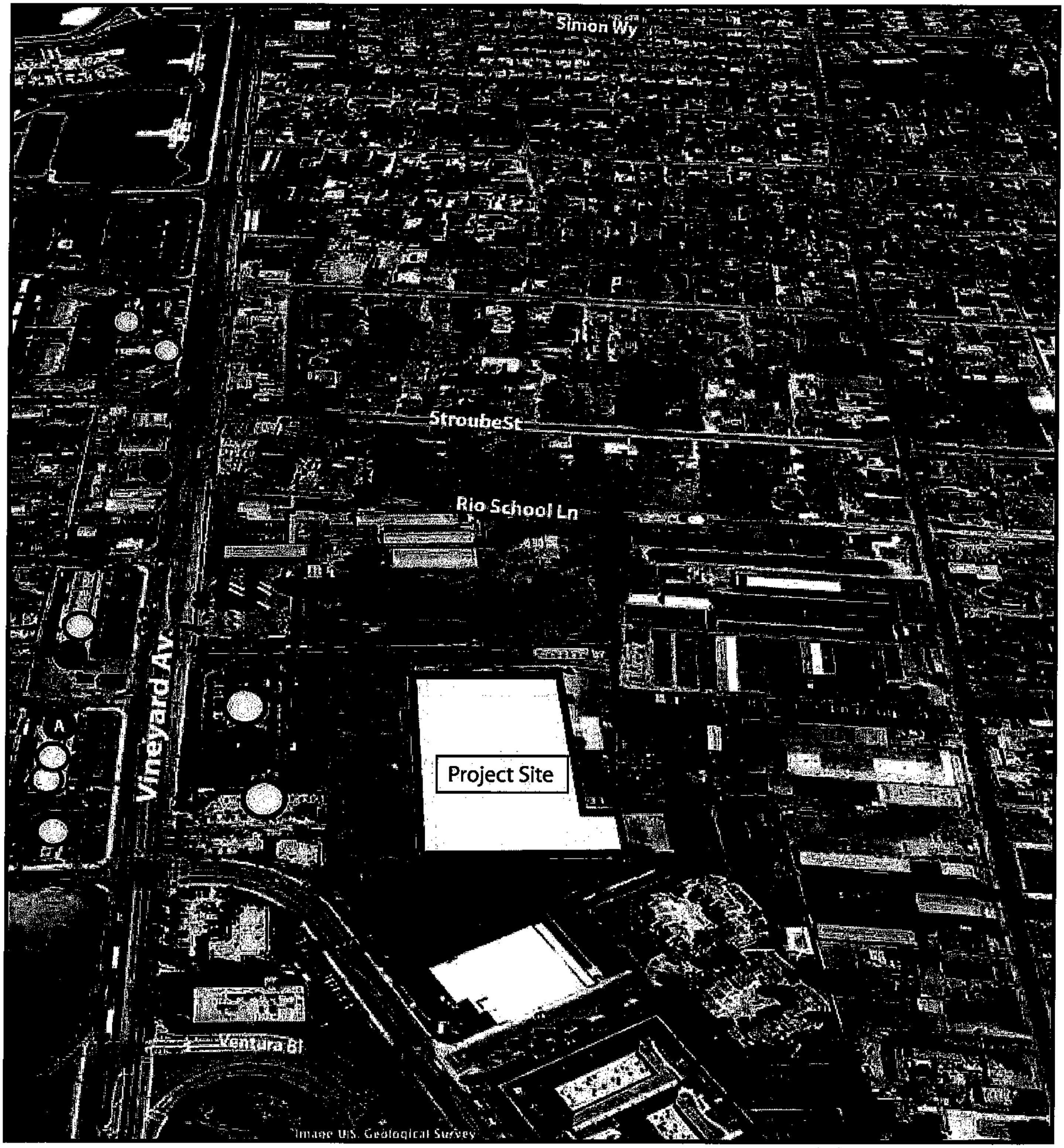
17 Gold Coast Line 17

School Bus Route

Bus Stops Current & Proposed

15 Gold Coast Line 15

ATTACHMENT 5
PAGE 1 OF 1



Surrounding Similar Uses Within the City

Eating or Drinking Establishment

Grocery or Market

A With Alcohol Use Permit

ATTACHMENT 6
PAGE 1 OF 1

Similar Uses Within the County

A With Alcohol

ATTACHMENT 7
PAGE 1 OF 1

CITY OF OXNARD
CITY CLERK

2012 AUG 29 P 2:05

NOTICE REQUESTING REVIEW

I, Carmen Ramirez, request that the City Council review the 8/16/2012 decision of the Planning Commission regarding PZ 11-500-2 Vallarta Market on the following grounds:

(name of City Councilmember or staff member) (date of Planning Commission meeting) (number and description of matter)

( ) To provide efficient and coordinated review of a multiple permit project.

(x) To Re-assess impact on neighboring residences, school(s) and businesses from granting of permit.

Carmen Ramirez 8/28/2012
(Signature and date)

cc: City Attorney
Project Planner
Development Services Department
Applicant

notice requesting 2/01

EXHIBIT A

ATTACHMENT 8
PAGE 1 OF 2

Checklist for Appeal of
Planning Commission Decision

Date: August 29, 2012

This is a checklist to ensure that an appeal/review of a Planning Commission decision is properly processed. Please complete this checklist as appropriate and return it to the City Clerk's Office as soon as possible.

Date of Planning Commission meeting	08/16/2012
Project Description	PZ 11-500-2
Appellant	Carmen Ramirez
Address	
Applicant's name & address	
Planner to prepare analysis	
CC meeting date	
Agenda report due	
Legal counsel	
Pertinent Code section	
Legally required to be advertised/ _days before meeting*	
Date mailing labels due to Clerk (include applicant & special requests)	ASAP
Date notices should be mailed	
Other parties requesting notice (names & addresses)	

*****<u>*Vida Newspaper*</u> requires one full day' notice prior to publication. Please submit notice to City Clerk at least five days prior to desired publication date.**

*<u>*Reporter Newspaper*</u> requires two full day' notice prior to publication. Please submit notice to City Clerk at least five days prior to desired publication date.**

(**Planning staff processes legal ads and mailed notices re reviews requested by Planning staff. City Clerk staff processes legal ads and mailed notices on appeals.)

g:\appeal\checklist

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 9 /25 /2012

ACTION	TYPE OF ITEM
❐ Approved Recommendation	❐ Info/Consent
X Ord. No(s). ____	❐ Report
❐ Res. No(s). ____	X Public Hearing
❐ Other ____	❐ Other ____

Prepared By: Stephanie Diaz, Contract Planner SD Agenda Item No. L-2

Reviewed By: City Manager City Attorney SMF Finance Other (Specify)

DATE: September 12, 2012

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager SM
Development Services Department

SUBJECT: **Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing.**

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to emergency shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.

SUMMARY

Senate Bill 2 (SB-2) requires the City to include homeless housing issues in the General Plan Housing Element and to provide an implementation program through the zone code. This proposed zone text amendment (ZTA) will carry out the provisions of SB-2 and the Housing Element Implementation Plan. The ZTA addresses definitions and zoning for emergency shelters, transitional housing, supportive housing and farmworker housing and related terms. SB-2 requires emergency shelters to be allowed by right in at least one zone. Supportive and transitional housing are considered residential uses subject only to the restrictions that apply to other residential dwellings of the same type in the same zone. Definitions of these uses, the zones in which they are allowed, and permit requirements are contained in the proposed ordinance. (Attachment 1)

At the public hearing on July 17, 2012, City Council first considered proposed zone text amendments relating to SB-2 (see the summary list of uses and related zones in Attachment 2 and the July 17, 2012 staff report in Attachment 3). A number of issues were raised at the meeting including the proposed definition of "family," restrictions on felons in emergency shelters, allowing emergency shelters for families in residential zones, and separation requirements as presented in the draft ordinance. The issues addressed below necessitated additional clarification prior to City Council action.

DISCUSSION

1) **Definition of Family:** The definition of "family" in the proposed ordinance has been revised as presented to the Council by the Assistant City Attorney at the July 17, 2012 hearing:

"FAMILY – A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses, but not including residents of commercial group living such as hotels, dormitories, and fraternities."

2) **Felon Restriction:** The "Emergency Shelter Development and Operation Standards" in the proposed ordinance restrict permanent emergency shelters and emergency shelters for families from admitting persons convicted of a serious or violent felony. At the July 17, 2012 hearing, the Council discussed developing flexible language that was similar to the restrictions used by the City for public housing. Staff researched the Housing Department standards and found that they allow persons convicted of certain types of felonies into public housing if it has been five years from the date of the conviction. Individuals with other types of felony convictions are reviewed on a case-by-case basis. Registered sex offenders are not allowed into housing programs. Staff also met with the Re-Entry Task Force in which the City participates and heard their concerns regarding housing for younger felons with "low-level" convictions. As the Housing Department standards are more restrictive regarding low-level felons than the original ordinance language, staff has left the ordinance as originally presented.

3) **Emergency Shelters for Families:** The proposed ordinance allows emergency shelters for families as a permitted use in the M-L, C-M and C-2 (light industry and commercial) zones with operational standards. The Council considered adding the use in the R-2 (Multiple-family) zone to allow children easier access to schools and parks. The ordinance has been revised to allow emergency shelters for families in the R-2 zone upon approval of a Special Use Permit (SUP). This permit will provide for consideration of site and neighborhood compatibility issues. Since the Zoning Ordinance provides that uses allowed in the R-2 zone with an SUP are also allowed in the R-3 and R-4 zones with an SUP, the proposed revision expands the opportunities for the establishment of emergency shelters for families in these zones also.

4) **Separation Standards:** The Council discussed adding a provision that limits the number of SB-2 related facilities in residential neighborhoods. The "Emergency Shelter Development and Operation Standards" in the proposed ordinance includes a separation requirement of 300 feet for shelters. This separation would apply to emergency shelters for families if such shelters would be allowed in residential zones. Supportive housing and transitional housing may not have a separation requirement as State law requires these uses to be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

Additionally, the City Council asked staff to research the number of rentals in residential neighborhoods or zones. Staff found that it would be difficult to provide comprehensive rental information for each residential zone. The rental count would be altered frequently as the number of rental units continually changes due to such factors as the sale of a rental dwelling to a homeowner. According to 2010 census data there are 49,797 occupied housing units in the City with 27,760 owner occupied units and 22,037 rental units. Although the census data cannot be easily translated to City zoning classifications, individual census tract data could be examined for areas of concern regarding specific projects.

As proposed, the ZTA will ensure that housing opportunities provide an environment which addresses support and/or recovery for homeless and disabled persons. Regulations will address housing-related businesses in order to provide consistency in commercial zones and to preserve the characteristics of residential neighborhoods.

FINANCIAL IMPACT

Those SB-2 housing facilities that require a permit will be charged the appropriate permit fee as adopted by the City Council for full recovery of the costs associated with permit processing. Policing and Code Compliance costs may be reduced as the housing facilities addressed in this zone text amendment will provide clear descriptions of the use, the proper zone and any permit requirements.

SLD/sld

Attachment #1- Draft City Council Ordinance
#2- Summary of SB-2 Uses and Proposed Zone Districts
#3- City Council Staff Report, July 17, 2012 (without attachments)
#4- CEQA Notice of Exemption

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. ________

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, AMENDING CHAPTER 16 (ZONING) OF THE CITY CODE TO ADDRESS EMERGENCY SHELTERS, TRANSITIONAL HOUSING, SUPPORTIVE HOUSING AND FARMWORKER HOUSING PURSUANT TO SENATE BILL NO. 2.

(PZ 10-580-01).

WHEREAS, the City Council seeks to carry out the provisions of Senate Bill No. 2 and related housing element legislation ("the housing element statutes") to locate zone districts where emergency shelters, housing for low- and very low income and disabled households including farmworker housing are permitted by right; and

WHEREAS, the housing element statutes require the City's zoning regulations to permit supportive and transitional housing as residential uses subject only to restrictions applicable to other residential dwellings of the same type in the same zone; and

WHEREAS, the City has inventoried potential sites for emergency shelters and has found the most suitable locations for such facilities are in the City's "C-2," "C-M" and "M-L" zones because properties with these zoning designations are generally located near the City center, allow for these structures with minimal setbacks, consist of vacant lots and buildings with adequate space for emergency shelter operations, and are accessible to public transportation, medical and commercial services with the "M-L" zone as appropriate for permanent emergency shelters to be allowed by right; and

WHEREAS, this ordinance defines emergency shelters, supportive, transitional and farmworker housing consistent with Senate Bill No.2 and provides zones for location of these housing types; and

WHEREAS, in enacting this ordinance, the City Council seeks to preserve the residential characteristics of residential neighborhoods from the impacts of housing-related businesses while providing housing opportunities for persons considered disabled under State and federal law, and to ensure that these housing opportunities provide an environment which addresses support and/or recovery for disabled persons; and

WHEREAS, the City Council has determined that the California Environmental Quality Act (CEQA) does not apply to zone text amendment PZ 10-580-01 pursuant to Government Code 65583(a)(4)(B) and the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, under Section 15061(b)(3); and

WHEREAS, the City Council finds that the zone text amendment PZ 10-580-01 is consistent with the 2030 General Plan and the 2006 to 2014 Housing Element; and

WHEREAS, on October 20, 2011 and June 21, 2012 the Planning Commission conducted noticed public hearings on zone text amendment PZ 10-580-01, accepted comments and recommended approval to the City Council; and

WHEREAS, on July 17, 2012 the City Council conducted a noticed public hearing on zone text amendment PZ 10-580-01 and accepted comments; and

WHEREAS, on _______, 2012 the City Council conducted a second noticed public hearing on zone text amendment PZ 10-580-01.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES ORDAIN AS FOLLOWS:

Part 1. Subsection (A) of section 16-10 of the City Code is hereby amended by deleting definition (19) ("BOARDINGHOUSE").

Part 2. Subsection (A) of section 16-10 of the City Code is hereby amended by adding the following definitions, which subsection shall be reordered alphabetically and renumbered accordingly:

"EMERGENCY SHELTER FOR FAMILIES – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions."

"EMERGENCY SHELTER, PERMANENT – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay."

"EMERGENCY SHELTER, TEMPORARY – A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a twelve-month period. No individual or household shall be denied emergency shelter because of an inability to pay."

FAMILY – A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

"FARMWORKER – An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market."

"FARMWORKER HOUSING – Deed-restricted housing for agricultural workers that is available to and occupied only by low and very low income farmworker households, and that is subject to standards that apply to other residential dwellings of the same type and in the same zone."

"ON-SITE SERVICES – Assistance provided on the housing site to residents living in supportive or transitional housing in retaining housing, improving health status and maximizing their ability to live and work in the community."

"SUPPORTIVE HOUSING – Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone."

"TRANSITIONAL HOUSING – Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone."

Part 3. Subsection (B) of section 16-21 of the City Code is amended by adding the following subsections and reordering the subsections alphabetically:

"Farmworker housing;"

"Supportive housing with no on-site services;"

Part 4. Subsection (B)(1) of section 16-21 of the City Code is amended by deleting the following text from item (B)(1):

" Boardinghouses are not permitted."

Part 5. Section 16-40 of the City Code is hereby amended to read as follows:

"This zone shall provide a district of low density multi-family dwellings as well as emergency shelters for families that maintains a residential character suitable for locations abutting single-family dwellings."

Part 6. Section 16-42 is hereby amended by adding the following subsection and reordering the section alphabetically:

"Emergency shelters for families;"

Part 7. Section 16-55 of the City Code is hereby amended to read as follows:

"This zone shall provide a district of moderate density multiple-family dwellings as well as emergency shelters for families, transitional housing and supportive housing pursuant to statutory requirements, suitable for locations abutting commercial centers and in other locations where moderate density is warranted."

Part 8. Section 16-56 of the City Code is hereby amended by adding the following subsections and reordering the section alphabetically:

"Supportive housing. On-site services for residents may be provided pursuant to an administrative permit;"

"Transitional housing. On-site services for residents may be provided pursuant to an administrative permit;"

Part 9 Section 16-64 of the City Code shall be deleted.

Part 10. Section 16-70 of the City Code is hereby amended to read as follows:

"This zone shall provide a district for high density, high rise multi-family dwellings, emergency shelters for families, transitional housing and supportive housing pursuant to statutory requirements, and other uses suitable for location within the city core and in other selected areas."

Part 11. Section 16-85 of the City Code is hereby amended to read as follows:

"This zone shall provide a district for the development of mobile home parks and to permit mobile home use for single-family, farmworker housing, small, licensed residential care facilities, as well as supportive housing pursuant to statutory requirements."

Part 12. Subsection (B) of section 16-86 of the City Code is hereby amended by adding the following subsections and reordering subsection (B) alphabetically:

"Farmworker housing;"

"Supportive housing with no on-site services;"

Part. 13. Subsection (A) of section 16-135 of the City Code is hereby amended by adding the following subsections and renumbering subsection (A):

"Emergency shelters for families, except that such facilities shall not be permitted in the airport hazard overlay zone;"

"Emergency shelters, temporary, except that such facilities shall not be permitted in the airport hazard overlay zone;"

Part 14. Subsection (A) of section 16-136 of the City Code is hereby amended by adding the following subsections and renumbering subsection (A):

"Emergency shelters, permanent, except that such facilities shall not be permitted in the airport hazard overlay zone;"

"Farmworker housing, except that such facilities shall not be permitted in the airport hazard overlay zone;"

"Supportive housing that may have on-site services for residents, except that such facilities shall not be permitted in the airport hazard overlay zone;"

"Transitional housing that may have on-site services for residents, except that such facilities shall not be permitted in the airport hazard overlay zone;"

Part 15. Section 16-143 of the City Code is hereby deleted.

Part 16. Subsection (F) of section 16-149 of the City Code is hereby deleted and the section is reordered alphabetically.

Part 17. Subsection (I) of section 16-149 of the City Code is hereby amended to read:

"Social services (including soup kitchens, charitable food distribution centers, drug/alcohol treatment and rehab centers that serve more than six persons) and emergency shelters;"

Part 18. Section 16-160 of the City Code is hereby amended to read as follows:

> "The purpose of this division is to provide a zone for selected commercial retail sales and services, for light manufacturing, including warehousing, distributing, storage and wholesale activities, with development standards suitable for commercial and industrial districts as well as permanent and temporary emergency shelters and emergency shelters for families, supportive and transitional housing pursuant to statutory requirements."

Part 19. Subsection (B) of section 16-162 of the City Code is hereby amended by adding the following subsections and reordering the subsection (B) alphabetically:

"Emergency shelters for families;"

"Emergency shelters, temporary;"

Part 20. Section 16-163 of the City Code is hereby amended by adding the following subsections and reordering the section alphabetically:

"Emergency shelters, permanent;"

"Farmworker housing;"

"Supportive housing that may have on-site services for residents;"

"Transitional housing that may have on-site services for residents;"

Part 21. Section 16-164 of the City Code is hereby amended by deleting subsection (A) and reordering the section alphabetically.

Part 22. Subsection (A) of section 16-185 of the City Code is hereby amended to read as follows:

"(A) The M-L Limited Manufacturing zone is intended to provide areas suitable for adult businesses, permanent and temporary emergency shelters and emergency shelters for families to provide housing pursuant to statutory requirements, and for the development and protection of restricted manufacturing uses and activities involving a high level of performance and site development. Uses may include adult businesses, unobtrusive administrative, wholesaling, warehousing and manufacturing activities and scientific research offices and laboratories, including certain accessory facilities necessary to serve the employees of such uses located in the zone. The development and performance standards of this division will enhance views from major transportation routes and assure a high-quality environment compatible with surrounding and abutting residential zones."

Part 23. Subsection (B) of section 16-188 of the City Code is hereby amended by adding the following subsection after subsection (B)(3) and reordering the subsection numerically:

"Emergency shelters, permanent and temporary, and emergency shelters for families;"

Part 24. Section 16-245 of the City Code is hereby amended by deleting subsection (BB) and reordering the subsequent subsections alphabetically.

Part 25. Subsection (Q) of Section 16-257 of the City Code is hereby amended to read as follows:

"Farmworker housing;"

Part 26. Division 18 of Article V of Chapter 16 of the City Code is hereby adopted to read as follows:

"DIVISION 18. EMERGENCY SHELTERS"

"SEC. 16-504. EMERGENCY SHELTER DEVELOPMENT AND OPERATION STANDARDS.

(A) Permanent emergency shelters and emergency shelters for families shall meet the following standards:

(1) No shelter patron shall be re-admitted to the same emergency shelter within five days of being discharged after a stay of six months.

(2) If the intake of shelter patrons occurs on-site, an enclosed or screened waiting area shall be provided between the intake area and the public right-of-way. There shall be no queuing within any public right-of-way or within any parking lot.

(3) Each shelter shall establish and maintain set hours of operation for patron intake and discharge. Hours shall be clearly displayed at the entrance to the shelter at all times.

(4) Rules regarding the discharge of shelter patrons that are socially disruptive, a threat to the safety of others or in violation of the emergency shelter regulations, shall be posted.

(5) On-site manager/shelter personnel shall be provided during all hours of operation when patrons are present. A designated area for on-site personnel shall be located near the main entry to the shelter for the purpose of controlling admittance and providing security.

(6) The emergency shelter operator shall not intake any person as a patron of the shelter if the operator determines the person is wanted by the police or has been convicted of committing any serious or violent felony, as those terms are defined in Cal. Penal Code sections 667.5, 1192.7 and 1192.8. The emergency shelter operator shall also conduct a background check on all prospective patrons using Megan's Law database and restrict patron intake in accordance with State and local registered sex offender residency restrictions.

(7) Beds in a permanent emergency shelter shall be provided for men, women, and families with children in separate and secured areas. Sleeping areas in emergency shelters for families shall be provided for each individual family.

(8) A private storage area or closet shall be provided for each on-site bed. At no time shall any patron of an emergency shelter be allowed to keep on-site any alcoholic beverages, or store any type of illegal substances, drugs or weapons of any kind. The manager shall conduct routine inspections of each on-site patron's personal space to verify compliance and report to the Police Department any patron found in possession of illegal substances, drugs and/or weapons of any kind.

(9) A minimum of 50 square feet of personal space shall be allocated for each patron bed and private storage area, or as may be required by Building and Fire Code requirements.

(10) A communal restroom facility with at least two toilets, one shower and one sink shall be provided for every twenty patrons residing at a permanent emergency or family emergency shelter. Separate and secure restroom and shower facilities shall be provided for men and women if the facility serves both genders.

(11) A shelter shall be limited to serving no more than the number of patrons allowed by fire or building code occupancy.

(12) Off-street parking shall be provided at the ratio of one on-site parking space for every 8 adult beds plus one additional space for the on-site manager.

(13) Each emergency shelter shall provide exterior security lighting on the property. Lighting shall be shielded from all adjacent residential areas. On-site lighting shall be subject to the review and approval of the Police Department.

(14) The emergency shelter operator shall be required to submit an on-site security plan to the Police Department for review and approval. The emergency shelter operator shall be responsible for ensuring that the approved security plan is implemented at all times."

(15) All outdoor storage areas shall be screened from the view of all public rights-of-way.

(16) An emergency shelter shall not be located within 300 feet of another parcel or lot with an emergency shelter.

(17) Should an emergency shelter be proposed within 300 feet of a school, the Development Services Director or designee may request that the developer/sponsor coordinate with the school district to address potential concerns.

Part 27. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Part 28. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 29. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on ____________, 2012, and finally adopted on _____________, 2012, to become effective thirty days thereafter.

AYES:

NOES:

ABSTAIN:

ABSENT:

____

Dr. Thomas E. Holden, Mayor

ATTEST:

____

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

____

Alan Holmberg, City Attorney

ATTACHMENT I

PAGE 9 OF 9

Attachment 2

SUMMARY OF SB-2 USES AND PROPOSED ZONE DISTRICTS

a) Permanent Emergency Shelters, for a stay of six months or less. Permitted use in the Limited Manufacturing (M-L) zone; Allowed with a special use permit (SUP) in the Commercial-Light Manufacturing (C-M) and General Commercial (C-2) zones with operational standards.

b) Temporary Emergency Shelters, for no more than four months (primarily winter warming): Permitted in M-L, C-M and C-2 zones.

c) Emergency Shelters for Families, for single parents with children and families for a stay of six months or less. Permitted in M-L, C-M and C-2 zones (commercial and light manufacturing) with operational standards. Allowed with an SUP in the R-2, R-3 and R-4 zones (residential) with operational standards.

d) Transitional Housing, a multi-family (five units or more) land use providing housing for the homeless for up to two years. Permitted use in the Garden Apartment (R-3) and High Rise (R-4) zones pursuant to respective zone standards, on-site services for residents by administrative permit. Allowed with SUP in C-M and C-2 zones;

e) Supportive Housing, for disabled and homeless residents. Permitted use with no on-site services in the Single-Family (R-1), Multiple-Family (R-2) and Mobile Home (MH-PD) zones pursuant to respective zone standards. May have on-site services for residents in Garden Apartment (R-3) and High Rise (R-4) zones with an administrative permit. Allowed upon approval of an SUP with on-site services in the C-2 and C-M zones.

f) Farmworker Housing, deed restricted for low-income farmworkers. Permitted use in all residential zones; Allowed with an SUP in commercial zones.

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 7 /17 /2012

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

Prepared By: Stephanie Diaz, Contract Planner SD Agenda Item No. L-1

Reviewed By: City Manager KB / City Attorney SMF Finance JC Other *(Specify)*

DATE: July 9, 2012

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager
Development Services Department

SUBJECT: **Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing.**

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to homeless shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.

SUMMARY

Pursuant to State requirements set forth in Senate Bill 2 (SB-2), the City must include homeless housing issues in the General Plan Housing Element and provide an implementation program through the zone code. This proposed zone text amendment (ZTA) will carry out the provisions of SB-2 and the Housing Element Implementation Plan. The text changes address definitions and zoning for homeless shelters, transitional housing, supportive housing and farmworker housing. According to SB-2, emergency shelters must be allowed by right in at least one zone. Supportive and transitional housing are to be addressed as residential uses and subject only to the restrictions that apply to other residential uses in the same zone. Full definitions of these uses are contained in the draft ordinance, see Attachment 3, Exhibit A.

DISCUSSION

1) On October 20, 2011 the Planning Commission held a public hearing on the proposed ordinance to address the ZTA which includes definitions plus the zones and permits that accommodate the land uses. They reviewed information compiled during study sessions and meetings with the interested parties and planning staff. The Planning Commission recommended approval to the City Council of the ZTA. The October 20, 2011 Planning Commission staff report is provided in Attachment 1. Subsequent to the Planning Commission's recommendation in 2011, issues related to the Commission's recommended draft ordinance were raised by members of the public, city staff, and the City's Commission on Homelessness. Due to the questions and new information collected, the

ATTACHMENT 3
PAGE 1 OF 4

Planning Commission conducted a study session on June 7, 2012 to consider the new issues and provide some direction to planning staff for addressing the issues. The Commission then held a second public hearing on June 21, 2012 to address the new issues, including the wording of some definitions, as well as permits and restrictions for certain SB-2 land uses. The staff report for the June 21, 2012 hearing is provided in Attachment 2. The Planning Commission discussed the zones where several types of emergency shelters were to be located, associated permits, the proposed restriction of two parolees/probationers in unlicensed facilities and the definition of "family." The Planning Commission recommended changes to the draft ordinance that would broaden the zones and reduce the permitting requirements for temporary shelters and emergency shelters for families. The Commission also recommended removing the proposed parolee/probationer limitation until the Re-Entry Task Force that is considering these issues provides information or a recommendation to the City Council. The Planning Commission's recommendation is in Resolution No. 2012-13, Attachment 3. The following is an outline of the SB-2 land uses, the proposed zones and permit requirements as recommended by the Planning Commission:

a) Permanent Emergency Shelters for a six month or less stay: Permitted use in the Limited Manufacturing (M-L/M-LPD) zone; Allowed with a special use permit (SUP) in the Commercial-Light Manufacturing (C-M) and General Commercial (C-2) zones with operational standards.

b) Temporary Emergency Shelters for no more than four months (primarily winter warming): Permitted in M-L/M-L PD, C-M and C-2 zones.

c) Emergency Shelters for Families for homeless single parents with children and families for a six month stay or less: Permitted in M-L/M-L PD, C-M and C-2 zones with operational standards.

d) Transitional Housing, a multi-family (five units or more) land use providing housing for the homeless for up to two years. Permitted use in the Garden Apartment (R-3) and High Rise (R-4) zones pursuant to respective zone standards; Allowed with SUP in C-M and C-2 zones; On-site services for residents by administrative permit.

e) Supportive Housing for disabled and homeless residents. Permitted use with no on-site services in the Single-Family (R-1), Multiple-Family (R-2) and Mobile Home (MH-PD) zones pursuant to respective zone standards. May have on-site services for residents in Garden Apartment (R-3) and High Rise (R-4) zones with an administrative permit. Allowed upon approval of an SUP with on-site services in the C-2 and C-M zones. Subsequent to staff's preparation of the ordinance, the Legislature amended terms referenced in the statutory definition of "supportive housing." Accordingly, the ordinance has been modified to incorporate the statutory definition of "supportive housing," which was previously considered by the Planning Commission.

f) Farmworker Housing for low-income farmworkers. Permitted use in all residential zones; Allowed with an SUP in commercial zones.

During the Commission's June 21, 2012 meeting, the definition of "family" including the terms "single lease" and "group membership" were discussed as presented in the draft ordinance. The purpose of those terms was to assist in separating residential uses from commercial housing. The Commission removed language referring to the requirement for a "single lease" and "group membership" which had been proposed by staff to create a differentiation between "family" residential use and group living such as a boarding house. The definition of "family" as recommended, meets state law standards.

The resulting effects of the adoption of the ZTA were discussed by the Planning Commission. There are an unknown number of existing shelters in the city that fit the Emergency, Supportive and Transitional Housing definitions and could become out of compliance with zoning standards due to adoption of the SB-2 ordinance. Some facilities may have proper permits while others may not. Some facilities are located in zones that are compatible with the SB-2 ordinance. Others would not be allowed in their current zones or would require a Special Use Permit to operate. Other facilities may be non-conforming as they were developed prior to adoption of the current zone code. The Planning Commission supported the continuing operation of facilities in compliance with the SB-2 ordinance and the City's nonconforming use ordinance. Issues for existing facilities will be assessed on a case-by-case basis by staff to assist facilities to come into compliance with the SB-2 ordinance.

The intent of the proposed ZTA is to provide housing opportunities for homeless persons or those who are considered disabled, pursuant to State law (SB-2). As proposed, the ZTA will ensure that housing opportunities provide an environment which addresses support and/or recovery for homeless and disabled persons, while regulating housing-related businesses in order to provide consistency in commercial zones and to preserve the residential characteristics of residential neighborhoods.

FINANCIAL IMPACT

Those SB-2 housing facilities that require a permit will be charged the appropriate permit fee as adopted by the City Council for full recovery of the costs associated with permit processing. Policing and Code Compliance costs may be reduced as the housing facilities addressed in this zone text amendment will provide clear descriptions of the use, the proper zone and any permit requirements.

SLD/sld

Attachment #1- Planning Commission Staff Report, October, 20, 2011 (removed)
#2 -Planning Commission Staff Report, June 21, 2012 (removed)
#3 - Planning Commission Resolution No. 2012-13
#4 - Draft City Council Ordinance (removed)

RESOLUTION NO. 2012-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF PZ 10-580-01, ZONE TEXT AMENDMENT AMENDING CHAPTER 16 OF THE CITY CODE CONCERNING EMERGENCY SHELTERS, TRANSITIONAL HOUSING, SUPPORTIVE HOUSING AND FARMWORKER HOUSING PURSUANT TO SENATE BILL NO.2. FILED BY THE CITY OF OXNARD, 305 W. THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered PZ-10-580-01, filed by the City of Oxnard, to amend chapter 16 of the City Code concerning special needs housing pursuant to Senate Bill No. 2; and

WHEREAS, on October 20, 2011 and on June 21, 2012 the Planning Commission held noticed public hearings on PZ 10-580-01; and

WHEREAS, the Planning Commission finds that the public interest and general welfare requires such an amendment; and

WHEREAS, the Planning Commission recommends the City Council find that the amendments conform to the General Plan and Housing Element; and

WHEREAS, the Planning Commissions finds that the California Environmental Quality Act (CEQA) does not apply to PZ 10-580-01 pursuant to Government Code 65583(a)(4)(B) and the general rule expressed in section 15061(b)(3) of the State CEQA Guidelines that CEQA, which sets forth the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment and there is no possibility that the adoption of this ordinance and resolution may have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinance attached hereto as Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of June, 2012 by the following vote:

AYES: Commissioners: Guevara, Huber, Medina, Mullin, Nash, Stewart, Murguia

NOES: Commissioners: None

ABSENT: Commissioners: None

Anthony R. Murguia, Chairman

ATTEST:

Susan L. Martin, Secretary

ATTACHMENT 3
PAGE 4 OF 4

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

CITY OF OXNARD CALIFORNIA

NOTICE OF EXEMPTION

Project Description:

PZ 10-580-01 (zone text amendment) amending Chapter 16 (zoning) of the City Code. The text amendment will update and add definitions and zoning related to emergency shelters, transitional housing, and supportive housing for low-income and disabled persons as well as farmworker housing, as required by State law (Senate Bill 2). Filed by the City of Oxnard, 214 South C Street, Oxnard, CA 93030.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- [x] Ministerial Project
- [ ] Categorical Exemption
- [ ] Statutory Exemption
- [ ] Emergency Project
- [ ] Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- [x] No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: The California Environmental Quality Act (CEQA) does not apply to zone text amendment PZ 10-580-01 pursuant to Government Code 65583(a)(4)(B) regarding emergency shelters and the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, under Section 15061(B)(3). Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and may be found to be exempt from the requirements of CEQA.

____
(Date)

____
Susan L. Martin, AICP
Planning Division Manager

ATTACHMENT 4
PAGE 1 OF 1

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09 / 25 / 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: Martin R. Erickson ______ Agenda Item No. N-1

Reviewed By: City Manager ______ City Attorney ______ Finance ______ Other *(Specify)* ______

DATE: September 12, 2012

TO: City Council

FROM: Karen R. Burnham
Interim City Manager

SUBJECT: **East County Courthouse Funding**

RECOMMENDATION

That City Council approve $30,000 funding request for FY 2012-13 from the general fund reserve to retain limited, part-time judicial services at East County Courthouse.

BACKGROUND

Continuing State budget cuts and service level reductions

The growing budget deficit in Sacramento has caused the State of California to impose severe budget reductions on a variety of State-wide government services. These budget reductions have resulted in the closure, relocation, and consolidation of hundreds of State offices and facilities in order to be more efficient and cost effective.

State decision to close East County Courthouse

State budget cuts have resulted in staff reductions, reduced hours, and furloughs at courthouses in at least 35 of 59 California Counties. Several County courts have experienced closures of departments, such as the closure of ten separate informal juvenile traffic departments in Los Angeles County. Currently eight counties have closed 15 branch courthouses, including Fresno County, San Luis Obispo County, and San Diego County. See Attachment #1 for an overview of the State County Courthouse Closures through July 12, 2012.

The most recent round of State cuts has also left the Ventura County courts with a budget deficit reported to be from $10.5 to $13.3 million. In an effort to help reduce this shortfall, the State decided to close the East County Branch Courthouse located at 3855-F Alamo Street in Simi Valley and relocate judicial services to the main County Courthouse in Ventura to save an estimated $3 million a year. In response, the City of Simi Valley has spearheaded an effort to keep this 20 year-old facility open on a part-time basis.

Over the past few months, a series of meetings involving local elected officials, judges, County CEO, City Managers, and others have taken place to discuss the potential impacts of the closure of the East County Courthouse. At a May 31, 2012 meeting among the three Mayors and City Managers from Moorpark, Simi Valley, and Thousand Oaks a potential funding proposal was discussed. This proposal would generate $275,000 in FY 2012-13 and FY 2013-14 (for a total of $550,000) from the County and six cities to keep the Courthouse open for two years until a more permanent, long-term funding solution is obtained by the State of California.

The proposal allocates costs roughly based on population and impact of the East County Courthouse closure. Although some cities are closer to the Ventura Courts, they are still being asked to participate as the caseload for Ventura is expected to be impacted, potentially resulting in delays for their residents and businesses. The requested amounts were determined at a meeting among the County CEO and a few City Managers. These figures are based on a rough approximation of each city's size and geographic proximity to the East County Courthouse and ability to pay for the more distant, smaller cities of Fillmore, Port Hueneme, Ojai, and Santa Paula.

The following table provides a summary of the proposed funding arrangement (listed by order of amount requested) and current action taken by each legislative body to date:

No.	City	Amount	City Council/Board Action
1.	Simi Valley	$75,000	Approved in May Closed Session & at 6/18/12 City Council Meeting
2.	Thousand Oaks	65,000	Approved at 7/17/12 City Council Meeting
3.	Ventura County	50,000	Approved at 6/26/12 Board Meeting
4.	Oxnard	30,000	Scheduled for 9/25/12 City Council Meeting
5.	Moorpark	25,000	Approved at 7/18/12 City Council Meeting
6.	Camarillo	15,000	Approved at 8/22/12 City Council Meeting
7.	Ventura	15,000	Approved at 9/10/12 Council Meeting Scheduled
8.	Fillmore	0	N/A
9.	Santa Paula	0	N/A
10.	Ojai	0	N/A
11.	Port Hueneme	0	N/A
TOTAL		**$275,000**	

Staff was advised that the Simi Valley City Council discussed the possibility of making a $75,000 recurring financial contribution during a May City Council closed session discussion and included the funding as part of the FY 2012-13 budget adoption process on June 18, 2012. The Ventura County Board of Supervisors approved a $50,000 budget appropriation for this purpose as part of the FY 2012-13 Budget Adoption process on June 26, 2012. The Camarillo City Council denied a $15,000 FY 2012-13 funding request for this purpose on June 27, 2012, but reconsidered the item on August 22nd, 2012 and agreed to fund $15,000 for FY 2012-13. The Moorpark City Council approved their $25,000 funding request on July 18, 2012. The City of Ventura approved $15,000 for FY 2012-13 at its September 10, 2012 City Council meeting.

DISCUSSION

Staff concurs that keeping the East County Courthouse open provides value to County-wide residents and businesses, including those in Oxnard. With this goal in mind, staff recommends funding one year of continuing operations of the East County Courthouse with general fund reserves and working collaboratively with Ventura County, Ventura County cities, and applicable interested parties to develop a legislative remedy to retain judicial services at East County Courthouse in Simi Valley.

FINANCIAL IMPACT

If approved, this one-time request will come from general fund reserves which are approximately $15.5 million.

MRE:lal

Attachment #1 - Information on County Courthouse Closures

Attachment #2 - Letter requesting funding for East County Courthouse

Information on
County Court House Closures
7/12/2012

Information Obtained from Administrative Office of the Courts

The following counties are affected by staff reductions, reduction of operating hours and furloughs and have posted notice as mandate by the Administrative Office of the Courts. A total of fifteen court houses/ branches are affected with closures.

	County	Closures	Number	Type
1	Alameda	No		
2	*Butte*	Yes	*1*	*Paradise Branch beginning Sept 1, 2011*
3	Calaveras	No		
4	El Dorado	No		
5	*Fresno*	Yes	*7*	*Coalinga, Firebaugh, Reedley, Sanger, and Selma beginning July 1, 2012; Clovis and Kingsburg beginning August 6, 2012*
6	Humboldt	No		
7	*King*	Yes	*1*	*Lemoore Branch beginning July 1, 2012*
8	Lake	No		
9	Lassen	No		
10	Los Angeles	No*		*Only closures of informal juvenile traffic departments in 10 locations
11	Mendecino	No		
12	Merced	No		
13	Monterey	No		
14	Napa	No		
15	Nevada	No		
16	Orange	No		
17	Placer	No		
18	Plumas	No		
19	San Bernardino	No		
20	*San Diego*	Yes	*2**	*Closure of Vista and Romona Branch beginning Sept 3, 2012; Closure of courtrooms in North and Central County branches beginning Sept 3, 2012*
21	San Francisco	No		
22	*San Joaquin*	Yes	*1**	*Tracy Branch closure; Closure of courtroom in Lodi Branch.*
23	*San Luis Obispo*	Yes	*1*	*Grover Beach Branch beginning Jan 3, 2012*
24	San Mateo	No		
25	Santa Clara	No		
26	Santa Cruz	No		
27	Shasta	No		
28	Sierra	No		
29	Siskyou	No*		*suspending proceedings held at City of Tulelake for small infractions,etc
30	Solano	No		
31	Tehama	No		
32	*Tulare*	Yes	*1*	*Tulare branch beginning August 31, 2012*
33	Tuolumne	No		
34	*Ventura*	Yes	*1*	*East County Court House beginning June 25, 2012*
35	Yolo	No		
	TOTAL	***8 Counties***	***15 Branches***	

ATTACHMENT 1
PAGE 1 OF 1

CITY OF SIMI VALLEY

Home of The Ronald Reagan Presidential Library

September 18, 2012

The Honorable Thomas E. Holden
City of Oxnard
300 West Third Street, 4th Floor
Oxnard, CA 93030

Dear Mayor Holden:

As you are probably aware, the proposed closure of the East County Courthouse due to insufficient State funding of our local trial courts would have significant impacts to cities and residents throughout the County of Ventura. It is anticipated that without some action to keep the East County Courthouse open, approximately 17,000 cases annually would be transferred to the Ventura Courthouse, creating delays and decreased access to justice for all Ventura County residents. Considering the severity and far reaching effects of these impacts, the City Managers throughout the County have discussed this issue at length.

While all of us remain frustrated at the need to once more bail out a program that should be adequately funded by the State, we nevertheless believe we must do so for a short period in order that our mutual residents continue to have the basic right of access to justice. Requests have been made of the larger County cities to contribute bridge funding on a sliding scale based on factors including proximity to the East County Courthouse, population, and the anticipated impacts to the respective city, if all cases are moved to the Ventura Courthouse.

We would like to respectfully request that the City of Oxnard commit to a contribution of no more than $30,000 for each of the next two fiscal years, in bridge funding to keep the East County Courthouse open. This funding will allow for services at the Courthouse to continue while representatives from the Board of Supervisors, County CEO's Office, District Attorney's Office, Sheriff's Department, the courts, and the City of Simi Valley work toward the implementation of a long-term solution to maintain the East County Courthouse's operations and relieve all of the County of an overcrowded situation in Ventura. The bridge funding requests have been approved unanimously by all the cities thus far, and with Oxnard's commitment, the total bridge funding required of $275,000 per year, will be achieved.

I understand that you will be considering this matter during your City Council meeting on Tuesday, September 25, 2012 at 7:00 p.m. and we respectfully request that you approve the allocation of $30,000 to keep the East County Courthouse open.

Sincerely,

Robert O. Huber
Mayor

cc: City Council
City Manager
City Attorney

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09/25/12

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

Prepared By: Danielle M. Navas, City Treasurer DMNavas Agenda Item No. O-1

Reviewed By: City Manager KRB City Attorney AH Finance JC Other N/A

DATE: September 4, 2012

TO: City Council

FROM: Danielle M. Navas, City Treasurer Danielle M. Navas

SUBJECT: **Investment Policy and Annual Report of Investment Activity**

RECOMMENDATION

That City Council:

1. Approve the Investment Policy for the City of Oxnard.

2. Adopt a resolution delegating investment authority to the City Treasurer.

DISCUSSION

Mandated by Government Code Section 53646, as amended effective January 1996, this statement of investment policy is to be provided to the City Council at a public meeting. Although the State waived this mandate, the City Treasurer will continue to provide an investment report and an update of the Investment Policy following fiscal year end.

The Investment Policy (Attachment 1) per certification by the Municipal Treasurers Association of US and Canada has proven to be a valuable document which provides direction with the flexibility to maintain portfolio performance in changing interest rate markets.

Investment Procedures
The City of Oxnard's portfolio is conservative and planned with safety of principal as the first objective followed by provision for funds when needed. Yield is important after these two objectives have been met. The portfolio is diversified as to type of investment, financial institution and maturity. Securities with maturities of more than thirty days are delivered to the City's third-party safekeeping account. City funds are consolidated in the pooled money investment fund to provide maximum investment opportunity. Analysis of cash-flow provides data for anticipated income, clearance of outstanding checks, and dates for extraordinary expenditures to manage liquidity requirements.

Interest Earnings
The Federal Funds rate continues, unchanged, at .00-25 percent. For FY 2011/12, the City earned an average of 1.34 percent compared with the LAIF average annual rate for the same period of .38 percent,

and the two-year treasury market average of .28 percent. Total net earnings of *$ 1,700,000.00 were produced from an investment portfolio balance of $119,000,000.

GASB Reporting Requirements
Quarterly portfolio reports, stating market value of each investment, have been presented to City Council. In addition to this reporting requirement, the difference between the book value and the market value of the portfolio is shown at year-end as either profit, when market value exceeds book value, or a loss. As stated in the investment policy, instruments are purchased with defined maturities and held to maturity thus receiving full value of the investment. Holding investments to maturity provides a stable portfolio with no actual loss of principal.

Effective Cash Management
The City Treasurer's Department coordinates with the Finance Department General Accounting and other departments for amounts and payment dates of bond, interest, and other wired payments as well as anticipated payroll and accounts payable disbursements to manage cash flow and liquidity needs.

California Municipal Treasurers' Association
The California Municipal Treasurer's Association (CMTA) is a valuable resource to the City. The Treasurer's continued attendance to the workshops and annual conference assist in being informed of the new legislation or investment instruments effecting municipalities in today's ever changing economy.

* Adjustment at year-end closing may require minor modification to this amount.

FINANCIAL IMPACT - None

Attachment #1 - Statement of Investment Policy
#2 - Resolution

Note: Attachment #1 has been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Wednesday prior to the Council meeting and in the City Clerk's Office after 10:00 a.m. on Thursday prior to the Council meeting.

STATEMENT OF INVESTMENT POLICY
FOR THE CITY OF OXNARD (CITY)
SEPTEMBER 2012

1.0 INTRODUCTION

This statement is intended to provide guidelines for the prudent investment of surplus funds of the City of Oxnard, and to outline the policies for maximizing the efficiency of the City's cash management system. It is the policy of the City of Oxnard to invest public funds in a manner which will provide high investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds.

2.0 SCOPE

This investment policy applies to the City's pooled investment fund, which encompasses all monies under the direct oversight of the City Treasurer. These include the General Fund, Special Revenue Funds, Capital Project Funds, Enterprise Funds, Trust and Agency Funds, and Internal Service Funds. This policy is generally applicable to bond proceeds with consideration given to specific provisions of each issuance. Reports of the investment of bond proceeds are issued monthly by the Trustee and are not included in the City Treasurer's monthly report of the pooled investment fund. The employee's retirement and deferred compensation funds are not included.

3.0 PRUDENCE

Investments shall be made with judgment and care -- under circumstances then prevailing -- which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

3.1 The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 OBJECTIVES

The City's cash management system is designed to accurately monitor and forecast revenues and expenditures thus enabling the City Treasurer to invest funds to the fullest extent possible. The Treasurer maintains a diversified portfolio to accomplish the primary objectives of safety, liquidity, and yield (in that order of priority).

4.1 Safety: The safety/risk associated with an investment refers to the potential loss of principal, accrued interest or a combination of these. The City seeks to mitigate credit risk by prequalifying and continual monitoring of financial institutions with which it will do business, and by careful scrutiny of the credit worthiness of the investment instruments as well as the institutions. Such resources as the Sheshunoff Performance Report, Moody's rating service, and Standard & Poor's rating service may be utilized for this review. The City seeks to mitigate rate risk through diversification of instruments as well as maturities.

4.2 Liquidity: The portfolio will be structured with sufficient liquidity to allow the City to meet anticipated cash requirements. This will be accomplished through diversity of instruments to include those with active secondary markets, those which match maturities to expected cash needs, and the State Local Agency Investment Fund with immediate withdrawal provision.

4.3 Yield: A competitive market rate of return is the third objective of the investment program after the fundamental requirements of safety and liquidity have been met.

5.0 DELEGATION OF AUTHORITY

California Government Code Section 53607 provides the authority for the legislative body of the local agency to invest the funds of the local agency or to delegate that authority to the treasurer of the local agency. Effective January 1, 1997, such delegation is to be reviewed each year and may be renewed by the City Council (Appendix 5, Section 53607).

5.1 City Council: Under City of Oxnard Resolution No. 10455, the City Council has authorized the City Treasurer to invest City funds in accordance with California Government Code Section 53600, et. seq. The City Treasurer will include review of the delegation of authority in the annual presentation of the Investment Policy to the City Council.

5.2 City Treasurer: The execution of investment transactions on a daily basis will be conducted by the City Treasurer. The Assistant City Treasurer will execute transactions, only as directed by the City Treasurer, in the absence of the City Treasurer. The City Treasurer has established a system of controls and a segregation of responsibilities of investment functions to assure maintenance of internal control over the investment function.

5.3 The City Treasurer retains the authority to amend the Investment Policy, Guidelines, and Procedures at any time in order to carry out the duties as chief investment officer for the City of Oxnard. Notice of any such required amendment will be given to the Investment Review Committee and the City Council.

6.0 ETHICS AND CONFLICTS OF INTEREST

The City Treasurer shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair the ability to make impartial investment decisions. The City Treasurer is governed by The Political Reform Act of 1974 regarding disclosure of material financial interests.

7.0 AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The City Treasurer shall transact business only with banks, savings and loans, and securities dealers.

7.1 Authorization: The City may conduct business with major registered broker/dealers and with dealers designated Primary by the Federal Reserve provided all the following criteria are met. Broker/Dealers must: 1) have offices located in the State of California, 2) be adequately capitalized, 3) make markets in securities appropriate to the City's needs, 4) agree to abide by the conditions set forth in the City of Oxnard's Investment Policy. The City Treasurer shall investigate all institutions which wish to do business with the City and shall require that each financial institution complete and return the appropriate questionnaire (Appendix 3/4) and required documentation. An annual review of the financial condition and registrations of qualified bidders will be conducted by the City Treasurer.

7.2 Rating: With the exception of the Local Agency Investment Fund (LAIF) and U.S. Treasury and Government Agency issues, investments shall be placed only in those instruments and institutions rated favorably as determined by the City Treasurer with the assistance of bank rating services and nationally recognized rating services (Moody's, Standard & Poor's).

8.0 AUTHORIZED AND SUITABLE INVESTMENTS

California Government Code Section 53601 (Appendix 5) defines eligible securities for the investment of surplus funds by local agencies. Surplus funds of the City of Oxnard are invested in compliance with this statute and as further limited in this Investment Policy.

8.1 U.S. Government: United States Treasury Bills, Notes, and Bonds are backed by the full faith and credit of the United States Government. There shall be no limitation as to the percentage of the portfolio invested in this category. Maturities are limited to a maximum of five years.

8.2 U.S. Agencies: The purchase of instruments of, or issued by, a federal agency or a United States government-sponsored enterprise will be limited to a maximum maturity of five years. Such agencies include, but are not limited to, the Federal Farm Credit Bank, Federal Home Loan Bank, Federal Home Loan Mortgage Corporation, Student Loan Marketing Association, Tennessee Valley Authority, and the Federal National Mortgage Corporation.

8.3 Other Bonds, Notes or Evidences of Indebtedness:

- Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.
- Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

- Bonds, notes, warrants, or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

A maximum of 15% of the portfolio may be so invested with the approval of the Investment Review Committee.

8.4 Bankers Acceptances: Bills of exchange or time drafts drawn on and accepted by commercial banks which are eligible for purchase by the Federal Reserve System are known as bankers acceptances. Purchases of these instruments may not exceed 180 days to maturity or 40 percent of an agency's surplus funds. A maximum of 30 percent may be invested in the bankers acceptances of any one commercial bank.

8.5 Commercial Paper: This short-term unsecured promissory note is issued to finance short-term credit needs. Eligible paper is that which is ranked "P1" by Moody's Investor Services or "A1" by Standard & Poor's, issued by a domestic corporation having assets in excess of $500,000,000, and having an "A" or better rating on issuer's debt. Purchases of commercial paper may not exceed 270 days or represent more than 10 percent of the outstanding paper of an issuing corporation. Commercial paper purchases will be limited to 15 percent of the City's portfolio.

8.6 Negotiable Certificates of Deposit (NCDs): Allowable NCDs are issued by a nationally or state-chartered bank or a state or federal association or by a state-licensed branch of a foreign bank. The City Treasurer may invest up to 30 percent of surplus funds in NCDs limited to institutions rated "Aa" or better by Moody's or "AA-" or better by Standard & Poor's CD Rating Services. A rating equivalent to Sheshunoff performance rating of A or better is required for those institutions not rated by Moody's or Standard & Poor's. NCDs are considered liquid, trading actively in the secondary market.

8.7 Certificates of Deposit (CDs): Certificates of deposit or "time deposits" of up to $100,000 are federally insured. Beyond that amount, these CDs must be collateralized with the collateral held separately from the issuing institution. The value of the investment must have collateral of at least 110 percent if government securities, or collateral of at least 150 percent if mortgage-backed securities. Statute does not limit CDs, however, this Investment Policy shall limit such investments to a maximum of 40 percent of the portfolio and to a maximum of 15 percent deposited in any one institution. In addition, time deposits shall be placed in institutions meeting all capital requirements and which maintain a rating equivalent to Sheshunoff performance rating of A or better.

8.8 Repurchase Agreements: The City may invest in repurchase agreements with banks and dealers of primary dealer status recognized by the Federal Reserve with which the City has entered into a master repurchase contract which specifies terms and conditions of repurchase agreements. The maturity of repurchase agreements shall not exceed 90 days. The market value of securities used as collateral for repurchase agreements shall be monitored by the City

Treasurer's office and will not be allowed to fall below 102 percent of the value of the repurchase agreement. In order to conform with provisions of the Federal Bankruptcy Code, which provide for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be eligible negotiable certificates of deposit, bankers' acceptances, commercial paper, or securities that are direct obligations of or that are fully guaranteed by the United States or any agency of the United States. These eligible securities are further defined by California Government Code Section 53651.

8.9 Medium Term Notes: A maximum of 30 percent of the City's portfolio may be invested in medium-term notes issued by corporations organized and operating within the United States. Note maturities may not exceed five years. Securities eligible for investment must be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service (i.e., Moody's or Standard & Poor's).

8.10 Mutual Funds: Shares of beneficial interest (mutual funds) issued by diversified management companies investing in securities/obligations authorized by California Government Code Section 53600, et. seq., and complying with Section 53630, are permitted investments. Section 53601(k) further defines requirements. A maximum of 15 percent of the portfolio may be so invested.

8.11 Local Agency Investment Fund (LAIF): The Local Agency Investment Fund has been established by the State Treasurer for the benefit of local agencies. The City may invest up to the maximum permitted by the LAIF.

8.12 Ineligible Investments: Investments not described herein, including but not limited to common stocks and financial futures contracts and options, are prohibited in this fund.

8.13 With the approval of the City Council and concurrence of the City Treasurer, funds may be invested in short term loans to provide specific funding to City Programs.

9.0 COLLATERAL

The issue of collateral requirements is addressed in California Government Code Section 53652. All active and inactive deposits must be secured at all times with eligible securities in securities pools pursuant to Sections 53656 and 53657. Eligible securities held as collateral shall have a market value in excess of the total amount of all deposits of a depository as follows:

- -- government securities, at least 10 percent in excess
- -- mortgage backed securities, at least 50 percent in excess
- -- letters of credit, at least 5 percent in excess

10.0 SAFEKEEPING AND CUSTODY

Security transactions entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities of duration exceeding 30 days to maturity shall be held by a third party custodian designated by the City Treasurer. Evidence of account for each time deposit will be held in the Treasury vault.

11.0 DIVERSIFICATION

The City's portfolio will be suitably diversified by type and institution in an effort to reduce portfolio risk while attaining market average rates,

11.1 Security Type and Institution: With the exception of U.S. Treasury securities and authorized pools, no more than 50 percent of the total portfolio will be invested in a single security type and no more than 15 percent with a single financial institution. Investments are further limited by specific language relating to each investment type as stated in Section 7 of this Policy.

11.2 Maximum Maturities: To the extent possible, the City Treasurer will attempt to match investments with anticipated cash flow requirements. The City's portfolio will not be directly invested in securities which mature more than five years from the date of purchase. Reserve funds may be invested in securities exceeding the five years (maturity of such investments should coincide as nearly as practicable with expected use of funds).

12.0 INTERNAL CONTROLS

A system of internal controls will be maintained to assure compliance with Federal and State regulations, City Council direction, and prudent cash management procedures.

12.1 Investment Review Committee: The City Manager, Finance Director, and City Treasurer are the members of the Investment Review Committee tasked with quarterly review of procedures and adherence to this Investment Policy.

12.2 Investment Portfolio Guidelines: Guidelines (Appendix No. 2) have been established for procedures within the City Treasurer's Office to assure internal investment controls and a segregation of responsibilities of investment functions.

12.3.1 Annual Audit: The City's portfolio is included in the annual review of the City's financial management performed by an independent (as defined by FASB) outside audit firm.

13.0 PERFORMANCE STANDARDS

The investment portfolio will be designed to obtain a market-average rate of return during budgetary and economic cycles, taking into account the City's investment risk constraints and cash flow needs. The market-average rate of return is defined as the average return on three-month Treasury bills. In addition, the City portfolio will be compared with LAIF and expected to maintain an annual yield within 0.50 (1/2 of 1 percent) basis points of LAIF's annual yield.

14.0 REPORTING

The City Treasurer shall provide investment information to City Council.

14.1 Periodic Reports: The City Treasurer will provide detailed reports of the investments in the pooled investment fund portfolio on a monthly basis to the City Council, City Manager, and Finance Director. Within thirty days of the end of each quarter, these reports will be provided with additional information such as market pricing. Summarized reports from Trustees regarding investments of bond proceeds, deferred compensation, and retirement funds are available for review.

14.2 Annual Report: This Investment Policy will be presented annually, following the close of the fiscal year, to the City Council for approval. A detailed report of the current status of the portfolio will be included in this presentation.

14.3 Financial Statements per GASB #31: City Treasurer will provide the portfolio's market value gains/losses to Finance to be incorporated in the fiscal year end balance sheet.

14.4 California Debt and Investment Advisory Commission: Effective January 1, 2001, investment reports issued to City Council will also be distributed semi-annually to the California Debt and Investment Advisory Commission.

14.5 Financial Statements per GASB 40: Effective June 30, 2005, additional disclosure is required. City Treasurer will provide detailed maturity and rating information to Finance to be incorporated in the Comprehensive Annual Financial Report (CAFR).

APPENDIX

No. 1 Glossary
No. 2 Investment Portfolio Guidelines
No. 3 Bank/Savings & Loan Questionnaire and Certification
No. 4 Broker/Dealer Questionnaire and Certification
No. 5 California Government Code Sections related to Investment of Public Funds

GLOSSARY

AGENCIES: Federal agency securities.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BASIS POINT: One one-hundredth of a percent (i.e. 0.01%)

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CDs are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&Ls, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL FUNDS RATE: The rate of interest at which Federal funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to $100,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing & Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loans associations and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA or FMHM mortgages. The term pass-throughs is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL AGENCY INVESTMENT FUND (LAIF): Funds from local governmental units may be remitted to the California State Treasurer for deposit in this special fund for the purpose of investment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase and reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Federal Reserve Bank is said to be doing RP, it is lending money, that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the banks' vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SPREAD: a) The yield or price difference between the bid and offer on an issue; b) The yield or price difference between different issues.

TREASURY BILLS: A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term U.S. Treasury securities having initial maturities of more than ten years.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

OXNARD CITY TREASURER

INVESTMENT PORTFOLIO GUIDELINES

A. INTRODUCTION. These guidelines are established to direct and control investment activities in such a manner to assure that the goals established in the Investment Policy are attained.

B. GENERAL FACTORS. Several factors must be considered in preparation for effective portfolio management.

1. Cash Forecast. The cash flow of the City shall be updated daily with an analysis of cash receipts and expenditures. A close working relationship with City Departments having a significant impact on cash flow is maintained to maximize the efficiency of the City's cash management system.

2. Pooled Cash. Whenever practical, the City's cash should be consolidated into one bank account and invested on a pooled concept basis. Interest earnings are allocated according to specific fund ledger balances. No City bank account may be opened without the knowledge and consent of the City Treasurer.

3. Authorized Institutions. A list of institutions, which meet the criteria of the Investment Policy and have been authorized by the City Treasurer to do business with the City, will be maintained and regularly updated. Investment transactions will be executed only with approved broker/dealers, banks, and savings and loans.

4. Preservation of Portfolio Value. Yield standards are in place in an effort to maintain earnings consistent with the market average rate of return.

5. Golden Rule of Portfolio Management. Investment instrument characteristics should be known and understood before a purchase of the investment instrument.

and

Recognizing that there are no firm and steadfast rules (strategies) for portfolio management due to the fact that investor expectations change by the day, hour and minute, and because of this market instability, prudent principles of fiscal management must be applied.

C. STRATEGY: Strategy refers to the plan of action for managing financial resources in the most advantageous manner. The City Treasurer uses the following elements in developing strategy.

1. Economic Forecasts. Economic forecast information developed by economists and financial experts, obtained through bankers and brokers, is used to assist the City Treasurer with the formulation of an investment strategy for the City.

2. Investment Implementation. Investment transactions will be executed in conformance with anticipated cash flow requirements, economic conditions, and interest rate trends and must be consistent with the established Investment Policy.

3. Yield Enhancement. Investment techniques will be utilized which increase yield and maintain a fully invested position.

D. INVESTMENT PROCEDURES. The City Treasurer has developed internal investment procedures to provide for effective cash management. Segregation of responsibilities is maintained to assure an adequate system of internal control over the investment function.

1. Diversification. The fund should consist of a mix of various types of securities, issuers, and maturities.

2. Competitive Bids. Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of two quotes being obtained, when practical.

3. Investment Transactions. Investment transactions will be authorized by the City Treasurer. In her absence, the Assistant City Treasurer will execute transactions as prescribed by the City Treasurer prior to her absence. In the event of unexpected absence and unavailability by the City Treasurer, the Assistant City Treasurer will transact within established guidelines.

4. Electronic Transactions. Whenever possible, the City will use preformatted wire transfers and ACH debits to restrict the transfer of funds to preauthorized accounts only. All electronic transactions require an initiator plus an approval by an authorized employee. Authenticity is verified on next business day for each electronic transaction.

5. Safekeeping. Securities purchased from broker/dealers (on which maturity is greater than 30 days) shall be held in third party safekeeping with the Trust Department of Union Bank of California acting as third party trustee. All such purchases will be on a delivery-versus-payment basis. Evidence of account for certificates of deposit will be issued in the City's name and held in City Treasurer's vault.

E. INVESTMENT CRITERIA. All investments will be made in compliance with Federal, State, and Local laws governing the investment of City funds, and in accordance with the City Treasurer's Investment Policy.

1. Maturity of Investment. Investments longer than one year may be made if consistent with the City's cash flow needs and related intent of holding until maturity. Securities may be sold prior to maturity for cash flow purposes or to otherwise enhance the portfolio. If the rating of any depository declines to an unacceptable level prior to the maturity of an investment of City funds, the investment will be matured at the earliest possible opportunity. If the rating drops below the allowable level of any one of the rating services, the investment will be sold if no significant loss of principal is involved. Such sales will be determined by the City Treasurer.

2. Certificate of Deposit Evaluation.

   (a) Time Certificates of Deposit shall be evaluated in terms of FDIC coverage. For deposits in excess of the insured maximum of $250,000, approved collateral shall be required at the percentage above market value as specified by California Government Code Section 53652 and/or 53651.

   (b) Negotiable Certificates of Deposit shall be evaluated in terms of the credit worthiness of the issuer as these deposits are uninsured and uncollateralized promissory notes.

F. PRIMARY GOALS. As set forth in the Investment Policy, the primary goals for the City of Oxnard are safety, liquidity, and yield, in that priority order.

1. Safety. The safety/risk associated with an investment refers to the potential loss of principal, accrued interest, or a combination of these. The City of Oxnard employs investment instruments considered to be safe. The primary duty of the City Treasurer is to protect the cash and investments placed in her trust on behalf of the citizens of the community.

2. Liquidity. Liquidity refers to the ability to convert investment holdings to cash immediately with no loss of principal or accrued interest. This quality of investment is important should an unexpected need for funds occur.

3. Yield. Yield is the dollar earnings the investment provides. Yield becomes important only after the fundamental requirements of safety and liquidity have been met.

G. INTERNAL CONTROL OF INVESTMENTS. Investment transactions are controlled through distribution of responsibilities within the Treasurer's Office by the following procedures:

1. The Treasurer initiates each investment transaction.

2. Details of the investment are recorded on a trade slip and given to the account clerk responsible for encoding the trade details into the Sungard electronic investment system. The same account clerk produces a verification letter mailed to the institution receiving the investment. A copy of the letter is forwarded to the transferring bank.

3. The transaction record is then delivered to the Assistant City Treasurer (or designee) who enters the transaction on the cash balance spread sheet.

4. At month end the balances on the spreadsheet, maintained by the Assistant City Treasurer (or designee), must balance with the portfolio balance maintained independently by the Sungard system clerk.

5. Each business day, the Treasurer's Office receives an electronic report from the City's bank. This report contains checking account balances, a listing of debits and credits, overnight investments and a record of wired funds. This information is incorporated into the monthly checking account statement which provides a cross reference.

6. The Treasurer's Office forwards copies of all investment and transfer letters to General Accounting daily. General Accounting also receives copies of all bank statements, daily print-outs, bank reconciliations, credit/debit memorandums, journal vouchers, and tapes coordinating Treasurer's Receipts with deposits.

7. The Treasurer's report of balances and summary of investments and earnings is compiled monthly and distributed to the City Council, City Manager, City Clerk and Finance Director. A report, including market values, will be provided on a quarterly basis within 30 days of the close of the last month of each quarter. A report of portfolio gains/losses will be provided to the Finance Director at fiscal year-end for inclusion in year-end balance sheet reporting.

These Guidelines are provided to all staff members of the City Treasurer's Office having involvement with the investment procedures in any way. It is intended that these guidelines define the details of current practice set forth by the Investment Policy.

CITY OF OXNARD

OFFICE OF THE CITY TREASURER

BANK/SAVINGS & LOAN QUESTIONNAIRE AND CERTIFICATION

1. Name of Firm ______________________________

2. Address ______________________________

3. Telephone No. (___)______________ (Local)   (___)______________ (National Headquarters)

4. Primary Representative: Manager:

   Name: ______________   Name ______________

   Title ______________   Title ______________

   Telephone No. (___)______________   Telephone No. (___)______________

5. What is the total of assets of the Bank/Savings & Loan? ______________

6. What are the current ratios?   Prior Year?

Net Worth	________	________
Tangible Capital	________	________
Core-based Capital	________	________
Risk-based Capital	________	________

7. Has there been a year during the past three years in which the Bank/Savings & Loan did not make a profit?

8. What is the education level of the Primary Contact(s)? ________

9. How many years of related experience does the Primary Contact(s) have? ________

10. Where is the collateral for Time Deposits of the Bank/Savings & Loan held?

    ____

11. Has there been a period during the past five years when Time Deposits of the Bank/Savings & Loan have not been fully collateralized? If Yes, explain.

    ____

12. Describe the precautions taken by your Bank/Savings & Loan to protect the interest of the public when dealing with government agencies as depositors or investors.

    ____

13. What other banking services would you be interested in providing the City of Oxnard?

14. What transaction documents and reports would we receive?

15. What information would you provide to our Investment Officer?

16. Please provide your entity's most recent certified financial statement.

17. Please provide your Contract of Deposit of Moneys pre-signed and sealed by your institution as well as any signature cards that you may require.

18. Please provide your wiring instructions.

-- <u>CERTIFICATION</u> --

I hereby certify that I have personally read the City of Oxnard's Investment Policy and the California Government Codes pertaining to the investments of the City of Oxnard, and have implemented reasonable procedures and a system of controls designed to preclude imprudent investment activities arising out of transactions conducted between our firm and the City of Oxnard. All sales personnel will be routinely informed of City of Oxnard's investment objectives, strategies and risk constraints whenever we are so advised. We pledge to exercise due diligence in informing the City Treasurer of all foreseeable risks associated with financial transactions conducted with our firm. I attest to the accuracy of our responses to your questionnaire.

<u>NOTE</u>: Completion of Questionnaire is only part of the City of Oxnard's Certification process and <u>DOES NOT</u> guarantee that the applicant will be approved to do business with the City.

SIGNED ______________________________

DATE ______________________________

(countersigned by company president or person in charge of government security operations)

____

BROKER/DEALER QUESTIONNAIRE

SECTION I: STATEMENT OF POSITION AND GENERAL REQUIREMENTS

The City of Oxnard (hereinafter referred to as the "City") is a general law city operating under the laws of the State of California. The City manages an operational portfolio ranging in size from $150 million to $190 million which is mainly comprised of U.S. Treasury and Agency obligations, corporate and medium term notes and deposits in the State of California Local Agency Investment Fund.

A copy of the City's Investment Policy is provided with this document. Each broker/dealer must certify that he/she has read the Policy and will incorporate due diligence in conforming to the provisions of the City's Investment Policy as well as all applicable state and federal regulations as applicable to the investment activities of California municipalities.

The City maintains relationships with qualified members of the broker/dealer community who, in their opinion, understand the needs, constraints and goals of the City.

Broker/dealers will be notified of their approval by the City in writing. No transactions will be conducted with an approved broker/dealer until all paperwork required by both parties has been executed. The City solicits competitive bids and offers on the majority of its transactions. All securities will be delivered against payment to the third-party custodian named by the City.

SECTION II—PART 1: REQUEST FOR GENERAL INFORMATION FROM BROKER/DEALER CANDIDATE

1. Name of Firm ____

2. Address (local) __________________________________

   Address (main) __________________________________

3. Telephone (local) (   )____________   (   )____________

   Telephone (main) (   )____________   (   )____________

4. Contact Personnel (Please provide an attachment if more space is required)

Name (Main Contact)	Name
Title	Title
Telephone	Telephone

Provide background information concerning the account representatives listed above. Please include information on the individual's employment history as it relates to the securities industry, official licenses and certificates, the history and details of any disciplinary actions or complaints and the disposition of each as well as the history of any arbitration or litigation, the nature of the case and status of disposition.

5. Please provide the following information regarding at least three comparable clients with whom the City's representative(s) listed in No. 4 has/have an established relationship.

Client Name	Contact
Address	
Length of Relationship	Telephone
Client Name	Contact
Address	
Length of Relationship	Telephone
Client Name	Contact
Address	
Length of Relationship	Telephone
Client Name	Contact
Address	
Length of Relationship	Telephone

6. Has/have the representative(s) listed in No. 4 been authorized by the firm to be account representative(s) for the City of Oxnard?

   ☐ Yes ☐ No If yes, by whom? ______________________________

7. List the name of the immediate supervisor of the account representative(s) named in your response to No. 4.

   ____

   Briefly describe any formal program of supervision of the account representative(s) name in No. 4, if your firm has established such a program.

   ____

   ____

   ____

8. Is your firm a member of NASD? ☐ Yes ☐ No
   If no, why not? ______________________________

   ____

9. Place an "x" by each regulatory agency that regulates or examines your firm. (Multistate firms: It is not necessary to include regulatory agencies that do not have jurisdiction over your firm's activities in Oxnard)

   ☐ FDIC ☐ SEC ☐ NYSE ☐ Comptroller of Currency ☐ Federal Reserve System

   ☐ Other ______________________________

   ____

10. Have you obtained all required licenses to operate as a broker/dealer in the State of California?

    ☐ Yes ☐ No

11. If you are not a bank, please provide the following information regarding your principal banking relationship.

    ______________________________ ______________________________
    Bank Name License Number(s)

    ____
    Address

    ______________________________ ______________________________
    Person to Contact Telephone

    ____

Place an "x" by each instrument set forth below in which you make an active market (both buy and sell).

❐ T-Bills ❐ T-Notes/Bonds ❐ BAs ❐ Commercial Paper

❐ Bank CDs ❐ S&L CDs ❐ FHLBs ❐ FHLMCs ❐ FNMA ❐ MTNs

Please specify other Federal Agencies ____________________

Instrumentalities ____________________

12. Does your firm specialize in any of the instruments listed above? ❐ Yes ❐ No

    If so, please specify which ones. ____________________

13. What reports, confirmations, paper trails do you provide? ____________________

14. Please provide samples of research reports or market information that your firm regularly provides to local agency clients. ____________________

SECTION II—PART II: REQUEST FOR BROKER/DEALER DISCLOSURE

15. To the best of your knowledge, has there been any "material" litigation, arbitration or regulatory proceeding, either pending, adjudicated or settled, to which your firm has been subject within the last five years concerning the suitability of the sale or purchases of securities to institutional clients or fraudulent or unfair practices related to the sale of securities to an institutional client? If so, please describe each such matter briefly. For purposes of this section, proceedings are "material" if your independent accountant applying generally acceptable accounting principles determines that such proceedings required disclosure on your financial statements.

    Any "material" proceedings? ❐ Yes ❐ No If yes, provide attachment with explanation.

16. Please provide your most current audited financial statements. In addition, for those dealers preparing and submitting financial statements to the following organizations, please provide publicly available financial documents filed with these agencies for the previous two years: National Association of Securities Dealers, Securities and Exchange Commission, New York Stock Exchange and Federal Deposit Insurance Corporation, U.S. Federal Reserve Bank.

City of Oxnard

Broker/Dealer Questionnaire

Section III: Certification

I hereby certify that the preceding is true and correct to the best of my knowledge and that I am authorized to execute this request for information on behalf of the broker/dealer firm. The firm has in place reasonable procedures and a system of controls designed to preclude imprudent investment activities arising out of transactions conducted between the firm and the City of Oxnard.

All individuals assigned to the City's account have read the City's Investment Policy, dated September 1998, understand the objectives and constraints set forth by the policy, agree to disclose potential conflicts or risks to public funds that might arise out of business transactions between the firm and the City, and will incorporate due diligence in conforming to the provisions of the policy as well as all applicable state and federal regulations as they apply to the investment activities of California municipalities.

The firm shall be provided an annual Statement of Investment Policy for the City of Oxnard and shall be informed of any changes to the policy. The firm shall be responsible to keep informed of City's Investment Policy. The undersigned certify that no securities will be sold to the City which are in violation of State code or City policy; however, the City shall be responsible for ensuring compliance with percentage limits established by State code and City policy.

____
Name of Firm

Name of Broker Assigned to City Account	Signature
Title	Date
Name of Principal	Signature
Title	Date

GOVERNMENT CODE SECTION 53600-53608

53600. As used in this article, "local agency" means county, city, city and county, including a chartered city or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

53600.3. Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

53600.5. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, the primary objective of a trustee shall be to safeguard the principal of the funds under its control. The secondary objective shall be to meet the liquidity needs of the depositor. The third objective shall be to achieve a return on the funds under its control.

53600.6. The Legislature hereby finds that the solvency and creditworthiness of each individual local agency can impact the solvency and creditworthiness of the state and other local agencies within the state. Therefore, to protect the solvency and creditworthiness of the state and all of its political subdivisions, the Legislature hereby declares that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern.

53601. This section shall apply to a local agency that is a city, a district, or other local agency that does not pool money in deposits or investments with other local agencies, other than local agencies that have the same governing body. However, Section 53635 shall apply to all local agencies that pool money in deposits or investments with other local agencies that have separate governing bodies. The legislative body of a local agency having money in a sinking fund or money in its treasury not required for the immediate needs of the local agency may invest any portion of the money that it deems wise or expedient in those investments set forth below. A local agency purchasing or obtaining any securities prescribed in this section, in a negotiable, bearer, registered, or nonregistered format, shall require delivery of the securities to the local agency, including those purchased for the agency by financial advisers, consultants, or managers using the agency's funds, by book entry, physical delivery, or by third-party custodial agreement. The transfer of securities to the counterparty bank's customer book entry account may be used for book entry delivery. For purposes of this section, "counterparty" means the other party to the transaction. A counterparty bank's trust department or separate safekeeping department may be used for the physical delivery of the security if the security is held in the name of the local agency. Where this section specifies a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase. Where this section does not specify a limitation on the term or remaining maturity at the time of the investment, no investment shall be made in any security, other than a security underlying a repurchase or reverse repurchase agreement or securities lending agreement authorized by this section, that at the time of the investment has a term remaining to maturity in excess of five years, unless the legislative body has granted express authority to make that investment either specifically or as a part of an investment program approved by the legislative body no less than three months prior to the investment:

(a) Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.

(b) United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

(c) Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

(d) Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.

(e) Bonds, notes, warrants, or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

(f) Federal agency or United States **government**-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States **government**-sponsored enterprises.

(g) Bankers' acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers' acceptances may not exceed 180 days' maturity or 40 percent of the agency's money that may be invested pursuant to this section. However, no more than 30 percent of the agency's money may be invested in the bankers' acceptances of any one commercial bank pursuant to this section. This subdivision does not preclude a municipal utility district from investing any money in its treasury in any manner authorized by the Municipal Utility District Act (Division 6 (commencing with Section 11501) of the Public Utilities Code).

(h) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or (2):

(1) The entity meets the following criteria:

(A) Is organized and operating in the United States as a general corporation.

(B) Has total assets in excess of five hundred million dollars ($500,000,000).

(C) Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization (NRSRO).

(2) The entity meets the following criteria:

(A) Is organized within the United States as a special purpose corporation, trust, or limited liability company.

(B) Has programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond.

(C) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization (NRSRO). Eligible commercial paper shall have a maximum maturity of 270 days or less. Local agencies, other than counties or a city and county, may invest no more than 25 percent of their money in eligible commercial paper. Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper of any single issuer. Counties or a city and county may invest in commercial paper pursuant to the concentration limits in subdivision (a) of Section 53635.

(i) Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial **Code**), a state or federal credit union, or by a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit may not exceed 30 percent of the agency's money which may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the money are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or any person with investment decisionmaking authority in the administrative office manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

(j) (1) Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of any securities authorized by this section, as long as the agreements are subject to this subdivision, including the delivery requirements specified in this section.

(2) Investments in repurchase agreements may be made, on any investment authorized in this section, when the term of the agreement does not exceed one year. The market value of securities that underlay a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed against those securities and the value shall be adjusted no less than quarterly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.

(3) Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:

(A) The security to be sold on reverse repurchase agreement or securities lending agreement has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.

(B) The total of all reverse repurchase agreements and securities lending agreements on investments owned by the local agency does not exceed 20 percent of the base value of the portfolio.

(C) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(D) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty by way of a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(4) (A) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may only be made upon prior approval of the governing body of the local agency and shall only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.

(B) For purposes of this chapter, "significant banking relationship" means any of the following activities of a bank:

(i) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.

(ii) Financing of a local agency's activities.

(iii) Acceptance of a local agency's securities or funds as deposits.

(5) (A) "Repurchase agreement" means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third-party custodial agreement. The transfer of underlying securities to the counterparty bank's customer book-entry account may be used for book-entry delivery.

(B) "Securities," for purpose of repurchase under this subdivision, means securities of the same issuer, description, issue date, and maturity.

(C) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date and includes other comparable agreements.

(D) "Securities lending agreement" means an agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

(E) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.

(F) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.

(k) Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated "A" or better by a nationally recognized rating service. Purchases of medium-term notes shall not include other instruments authorized by this section and may not exceed 30 percent of the agency's money that may be invested pursuant to this section.

(l) (1) Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (o), inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying a repurchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.

(2) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.).

(3) If investment is in shares issued pursuant to paragraph (1), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (o), inclusive, and with assets under management in excess of five hundred million dollars ($500,000,000).

(4) If investment is in shares issued pursuant to paragraph (2), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars ($500,000,000).

(5) The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include any commission that the companies may charge and shall not exceed 20 percent of the agency's money that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to paragraph (1).

(m) Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.

(n) Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial **Code** or federal regulations applicable to the types of securities in which the security interest is granted.

(o) Any mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subdivision may not exceed 20 percent of the agency's surplus money that may be invested pursuant to this section.

(p) Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (o), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (o), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars ($500,000,000).

53601.1. The authority of a local agency to invest funds pursuant to Section 53601 includes, in addition thereto, authority to invest in financial futures or financial option contracts in any of the investment categories enumerated in that section.

53601.2. As used in this article, "corporation" includes a limited liability company.

53601.5. The purchase by a local agency of any investment authorized pursuant to Section 53601 or 53601.1, not purchased directly from the issuer, shall be purchased either from an institution licensed by the state as a broker-dealer, as defined in Section 25004 of the Corporations **Code**, or from a member of a federally regulated securities exchange, from a national or state-chartered bank, from a savings association or federal association (as defined by Section 5102 of the Financial **Code**) or from a brokerage firm designated as a primary **government** dealer by the Federal Reserve bank.

53601.6. (a) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in inverse floaters, range notes, or mortgage-derived, interest-only strips.

(b) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in any security that could result in zero interest accrual if held to maturity. However, a local agency may hold prohibited instruments until their maturity dates. The limitation in this subdivision shall not apply to local agency investments in shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.) that are authorized for investment pursuant to subdivision (k) of Section 53601.

53601.7. Notwithstanding the investment parameters of Sections 53601 and 53635, a local agency that is a county or a city and county may invest any portion of the funds that it deems wise or expedient, using the following criteria:

(a) No investment shall be made in any security, other than a security underlying a repurchase agreement, reverse repurchase agreement, or a securities lending agreement, that, at the time of purchase, has a term remaining to maturity in excess of 397 days, and that would cause the dollar-weighted average maturity of the funds in the investment pool to exceed 90 days.

(b) All corporate and depository institution investments shall meet or exceed the following credit rating criteria at time of purchase:

(1) Short-term debt shall be rated at least "A-1" by Standard & Poor's Corporation, "P-1" by Moody's Investors Service, Inc., or "F-1" by Fitch Ratings. If the issuer of short-term debt has also issued long-term debt, this long-term debt rating shall be rated at least "A," without regard to +/- or 1, 2, 3 modifiers, by Standard & Poor's Corporation, Moody's Investors Service, Inc., or Fitch Ratings.

(2) Long-term debt shall be rated at least "A," without regard to +/- or 1, 2, 3 modifiers, by Standard & Poor's Corporation, Moody's Investors Service, Inc., or Fitch Ratings.

(c) (1) No more than 5 percent of the total assets of the investments held by a local agency may be invested in the securities of any one issuer, except the obligations of the United States **government**, United States **government** agencies, and United States **government**-sponsored enterprises.

(2) Up to 25 percent of the total assets of the investments held by a local agency may be invested in the first tier securities of a single issuer for a period of up to three business days after acquisition. The securities of no more than one issuer may be invested pursuant to this paragraph at a time.

(3) No more than 10 percent of the total assets of the investments held by a local agency may be invested in any one mutual fund.

(d) Where this section specifies a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase. A later increase or decrease in a percentage resulting from a change in values or assets shall not constitute a violation of that restriction. If subsequent to purchase, securities are downgraded below the minimum acceptable rating level, the securities shall be reviewed for possible sale within a reasonable amount of time after the downgrade.

(e) Within the limitations set forth in this section, a local agency electing to invest its funds pursuant to this section may invest in the following securities:

(1) Direct obligations of the United States Treasury or any other obligation guaranteed as to principal and interest by the United States **government**.

(2) Bonds, notes, debentures, or any other obligations of, or securities issued by, any federal **government** agency, instrumentality, or **government**-sponsored enterprise.

(3) Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or other entity of the state.

(4) Bonds, notes, warrants, or other indebtedness of the local agency, or any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

(5) Bankers acceptance, otherwise known as bills of exchange or time drafts drawn on and accepted by a commercial bank, primarily used to finance international trade. Purchases of bankers acceptances may not exceed 180 days to maturity.

(6) Short-term unsecured promissory notes issued by corporations for maturities of 270 days or less. Eligible commercial paper is further limited to the following:

(A) Issuing corporations that are organized and operating within the United States, having total assets in excess of five hundred million dollars ($500,000,000).

(B) Maturities for eligible commercial paper that may not exceed 270 days.

(7) A certificate representing a deposit of funds at a commercial bank for a specified period of time and for a specified return at maturity. Eligible certificates of deposit shall be issued by a nationally or state-chartered bank or a state or federal association, as defined in Section 5102 of the Financial **Code**, or by a state-licensed branch of a foreign bank. For purposes of this subdivision, certificates of deposits shall not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the money may not invest local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or any person with investment decisionmaking authority in the administrative office, manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, other credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificate of deposit.

(8) Repurchase agreements, reverse repurchase agreements, or securities lending agreements of any securities authorized by this section, if the agreements meet the requirements of this paragraph and the delivery requirements specified in Section 53601. Investments in repurchase agreements may be made, on any investment authorized by this section, when the term of the agreement does not exceed one year. The market value of the securities that underlay a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed against those securities, and the value shall be adjusted no less than quarterly. Because the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance with this section if the value of the underlying securities is brought back to 102 percent no later than the next business day. Reverse repurchase agreements may be utilized only when all of the following criteria are met:

(A) The security being sold on reverse repurchase agreement or securities lending agreement has been owned and fully paid for by the local agency for a minimum of 30 days prior to the sale.

(B) The total of all reverse repurchase agreements on investments owned by the local agency not purchased or committed to purchase does not exceed 20 percent of the market value of the portfolio.

(C) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement and the final maturity date of the same security.

(D) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty by way of a reverse repurchase agreement or securities lending agreement, may not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(E) Investments in reverse repurchase agreements or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security, shall only be made with prior approval of the governing body of the local agency and shall only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency. "Securities," for purposes of this paragraph, means securities of the same issuer, description, issue date, and maturity.

(9) All debt securities issued by a corporation or depository institution with a remaining maturity of not more than 397 days, including securities specified as "medium-term notes," as well as other debt instruments originally issued with maturities longer than 397 days, but which, at time of purchase, have a final maturity of 397 days or less. Eligible medium-term notes shall be issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.

(10) (A) Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations described in this subdivision and that comply with the investment restrictions of this section. However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement shall not be required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default. The value of the securities underlying a repurchase agreement may be 100 percent of the sales price if the securities are marked to market daily.

(B) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the federal Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.).

(C) All shares of beneficial interest described in this paragraph shall have met either of the following criteria:

(i) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.

(ii) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission and who has not less than five years' experience investing in money market instruments and with assets under management in excess of five hundred million dollars ($500,000,000).

(11) Any mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other paythrough bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond. Securities eligible for investment under this paragraph shall be issued by an issuer having an "A" or higher rating from the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating.

(12) Contracts issued by insurance companies that provide the policyholder with the right to receive a fixed or variable rate of interest and the full return of principal at the maturity date.

(13) Any investments that would qualify under SEC Rule 2a-7 of the Investment Company Act of 1940 guidelines. These investments shall also meet the limitations detailed in this section.

(f) For purposes of this section, all of the following definitions shall apply:

(1) "Repurchase agreement" means a purchase of securities pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a

specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third-party custodial agreement.

(2) "Significant banking relationship" means any of the following activities of a bank:

(A) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.

(B) Financing of a local agency's securities or funds as deposits.

(C) Acceptance of a local agency's securities or funds as deposits.

(3) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date and includes other comparable agreements.

(4) "Securities lending agreement" means an agreement with a local agency that agrees to transfer securities to a borrower who, in turn agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

(5) "First tier security" has the same meaning as that phrase is defined by SEC Rule 2a-7 of the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq).

(6) "Local agency" means a county or city and county.

(g) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, or other similar borrowing methods.

(h) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.

(i) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

53601.8. Notwithstanding Section 53601 or any other provision of this **code**, a local agency, at its discretion, may invest a portion of its surplus funds in certificates of deposit at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of certificates of deposit, provided that the purchases of certificates of deposit pursuant to this section, Section 53635.8, and subdivision (h) of Section 53601 do not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose. The following conditions shall apply:

(a) The local agency shall choose a nationally or state chartered commercial bank, savings bank, savings and loan association, or credit union in this state to invest the funds, which shall be known as the "selected" depository institution.

(b) The selected depository institution may submit the funds to a private sector entity that assists in the placement of certificates of deposit with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States, for the local agency's account.

(c) The full amount of the principal and the interest that may be accrued during the maximum term of each certificate of deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(d) The selected depository institution shall serve as a custodian for each certificate of deposit that is issued with the placement service for the local agency's account.

(e) At the same time the local agency's funds are deposited and the certificates of deposit are issued, the selected depository institution shall receive an amount of deposits from other commercial banks, savings banks, savings and loan associations, or credit unions that, in total, are equal to, or greater than, the full amount of the principal that the local agency initially deposited through the selected depository institution for investment.

(f) A local agency may not invest surplus funds with a selected depository institution for placement as certificates of deposit pursuant to this section on or after January 1, 2012. A local agency's surplus funds, invested pursuant to this section before January 1, 2012, may remain invested in certificates of deposit issued through a private sector entity for the full term of each certificate of deposit.

(g) Notwithstanding subdivisions (a) to (f), inclusive, no credit union may act as a selected depository institution under this section or Section 53635.8 unless both of the following conditions are satisfied:

(1) The credit union offers federal depository insurance through the National Credit Union Administration.

(2) The credit union is in possession of written guidance or other written communication from the National Credit Union Administration authorizing participation of federally-insured credit unions in one or more certificate of deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal **government**.

(h) It is the intent of the Legislature that nothing in this section shall restrict competition among private sector entities that provide placement services pursuant to this section.

53602. The legislative body shall invest only in notes, bonds, bills, certificates of indebtedness, warrants, or registered warrants which are legal investments for savings banks in the State, provided, that the board of supervisors of a county may, by a four-fifths vote thereof, invest in notes, warrants or other evidences of indebtedness of public districts wholly or partly within the county, whether or not such notes, warrants, or other evidences of indebtedness are legal investments for savings banks.

53603. The legislative body may make the investment by direct purchase of any issue of eligible securities at their original sale or after they have been issued.

53604. The legislative body may sell, or exchange for other eligible securities, and reinvest the proceeds of, the securities purchased.

53605. From time to time, the legislative body shall sell the securities so that the proceeds may be applied to the purposes for which the original purchase money was placed in the sinking fund or the treasury of the local agency.

53606. The bonds purchased, which were issued by the purchaser, may be canceled either in satisfaction or sinking fund obligations or otherwise. When canceled, they are no longer outstanding, unless in its discretion, the legislative body holds then uncanceled. While held uncanceled, the bonds may be resold.

53607. The authority of the legislative body to invest or to reinvest funds of a local agency, or to sell or exchange securities so purchased, may be delegated for a one-year period by the legislative body to the treasurer of the local agency, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires, and shall make a monthly report of those transactions to the legislative body. Subject to review, the legislative body may renew the delegation of authority pursuant to this section each year.

53608. The legislative body of a local agency may deposit for safekeeping with a federal or state association (as defined by Section 5102 of the Financial **Code**), a trust company or a state or national bank located within this state or with the Federal Reserve Bank of San Francisco or any branch thereof within this state, or with any Federal Reserve bank or with any state or national bank located in any city designated as a reserve city by the Board of Governors of the Federal Reserve System, the bonds, notes, bills, debentures, obligations, certificates of indebtedness, warrants, or other evidences of indebtedness in which the money of the local agency is invested pursuant to this article or pursuant to other legislative authority. The local agency shall take from such financial institution a receipt for securities so deposited. The authority of the legislative body to deposit for safekeeping may be delegated by the legislative body to the treasurer of the local agency; the treasurer shall not be responsible for securities delivered to and receipted for by a financial institution until they are withdrawn from the financial institution by the treasurer.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER

WHEREAS, effective January 1, 1997, Government Code Section 53607 was amended to provide in part:

"The authority of the [city council]...to invest or to reinvest funds..., or to sell or exchange securities so purchased, may be delegated for a one-year period by the [city council]...to the [city] treasurer..., who shall thereafter assume full responsibility for those transactions until the delegation is revoked or expires, and shall make a monthly report of those transactions to the [city council] ... Subject to review, the [city council] ... may renew the delegation of authority pursuant to this section each year."

WHEREAS, on September 15, 1992, the City Council adopted Resolution No. 10,455, delegating to the City Treasurer the authority to invest and reinvest the City funds; and

WHEREAS, the City Council annually approves a Statement of Investment Policy for the City, which in Section 5.0 delegates to the City Treasurer authority to invest City funds; and

WHEREAS, it remains the intention of the City Council to delegate such authority to the City Treasurer.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to delegate to the City Treasurer authority to invest and reinvest City funds and to sell or exchange securities so purchased; to reaffirm such delegation of authority contained in Resolution No. 10,455; and to state that the City Council's annual review and approval of a Statement of Investment Policy that includes such delegation of authority constitutes the City Council's delegation of such authority.

PASSED AND ADOPTED this 25st day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Alan Holmberg, City Attorney

Attachment 2

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 9/25/12

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

Prepared By: Larry White JW ______ Agenda Item No. O-2

Reviewed By: City Manager ______ City Attorney ______ Finance ______ Other *(Specify)* ______

DATE: September 4, 2012

TO: City Council
Housing Authority Commission

FROM: William E. Wilkins, Housing Director

SUBJECT: **Terraza de Las Cortes, L.P. by the Housing Authority and Las Cortes, Inc.**

RECOMMENDATION:

(1) That the Housing Authority Board of Commissioners authorize negotiation of a Partnership Agreement to be returned for approval, between the Housing Authority and Las Cortes, Inc. for purpose of developing and operating a 64 unit multi-family affordable housing project to be known as Terraza de Las Cortes ("Project") on property currently owned by the Housing Authority.

(2) That the City Council approve a special budget appropriation in the amount of $3.3 million to the Project.

DISCUSSION

The Project is located on a vacant parcel of land owned by the Housing Authority and currently developed with 260 public housing units, commonly known as The Courts. The revitalization of the existing 260 affordable units is the subject of a separate Development Agreement for The Courts Housing Project between the Housing Authority and The Courts, Oxnard, L.P.

The entire property is subject to the Las Cortes Specific Plan ("Specific Plan"), which was adopted by the City Council in August 16, 2007. The Specific Plan authorizes the development of a 64 unit multi-family affordable housing development on the property.

The Housing Authority, in conjunction with Las Cortes, Inc., desires to develop the Project using a combination of 4% low income affordable housing tax credits and tax exempt bonds.

In order to accomplish this project, the following will need to occur:

First, the Housing Authority and Las Cortes, Inc. will need to form Terraza de Las Cortes, L.P., a California limited partnership ("Partnership").

Next, the Partnership will need to obtain all necessary entitlements from the City for the development of the Project. Housing Authority Staff has been informed by Planning staff that under the Specific Plan, all that is necessary to entitle the Project, is a development design review permit, which can be approved by the Development Services Director or his designee.

Once entitlements have been obtained from the City, the Partnership will apply for an allocation of 4% tax credits from the California Tax Credit Allocation Committee and tax exempt bonds from the California Debt Limit Allocation Committee. The application for tax credits and tax exempt bonds will happen concurrently. Depending upon how quickly entitlements are obtained from the City, the Partnership will apply for an allocation of tax credits and tax exempt bonds in either late 2012 or early 2013.

FINANCIAL IMPACT:

The total costs of the Terraza de Las Cortes Project (Project No. 135101) is $16,392,930 of which $1.3 million will be funded from the Housing In-Lieu Fee Fund (Account No. 371-5135-804-8495) for predevelopment costs & fees and $2 million will be funded from the Local Housing Trust Fund (Account no. 372-5135-804-8495).

Attachment #1 - Special Budget Appropriation

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Housing | **Date:** September 5, 2012

Project/Program Manager: Larry White | **Phone:** 805-385-8235

Reason for Appropriation:

To fund the development of Terraza de Las Cortes Project (Project No. 135101). The Housing In-Lieu Fee Fund will fund the predevelopment costs & fees and the Local Housing Trust Fund will fund the construction of the sixty four affordable family units.

Accounts and Descriptions		**AMOUNT**
Fund: HOUSING-IN-LIEU FEES FUND (371)		
Expenditures/Transfers Out		
TERRAZA DE LAS CORTES (Project No. 135101)		
371-5135-804.84-95	OTHER SERVICES / CONTRACTUAL-LOW HOUSING P	1,300,000
	Sub-total Expenditures	1,300,000
	Net Change to Fund Balance	(1,300,000)
Fund: AFFORD.RENTAL HOUSING FUND (372)		
Expenditures/Transfers Out		
TERRAZA DE LAS CORTES (Project No. 135101)		
372-5135-804.84-95	OTHER SERVICES / CONTRACTUAL-LOW HOUSING P	2,000,000
	Sub-total Expenditures	2,000,000
	Net Change to Fund Balance	(2,000,000)
	Net Appropriation Change	**3,300,000**

Approvals

Department Director ____________________

Chief Financial Officer James Cameron ____________________

City Manager ____________________

Attachment No. 1
Page 1 of 1

REQUIRES CITY COUNCIL AUTHORIZATION

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09/ 25/2012

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

Prepared By: Kymberly Horner NA Agenda Item No. O-3

Reviewed By: City Manager KPB City Attorney NA Finance JC Other (Specify)

DATE: September 19, 2012

TO: City Council
Oxnard Community Development Commission Successor Agency

FROM: Curtis P. Cannon Curtis P. Cannon
Community Development Director

SUBJECT: Processing of Documentation in Order to Reflect Ownership of the Commission Properties and Other Assets by the Successor Agency

RECOMMENDATION

That City Council adopt a resolution authorizing the processing of documentation reflecting ownership of the Commission properties and other assets by the Oxnard Community Development Commission Successor Agency ("Successor Agency").

That the Successor Agency adopt a Resolution authorizing the processing of documentation confirming its ownership of the Commission properties and other assets.

DISCUSSION

The Oxnard Community Development Commission (the "Commission") was a redevelopment agency in the City of Oxnard (the "City"), created pursuant to the California Community Redevelopment Law CCRL). The Commission was responsible for the administration of redevelopment activities within the City.

CCRL provides that certain public bodies may aid and cooperate in the planning, undertaking, construction or operation of redevelopment projects. On or about January 18, 2011, the City and the Commission entered into a Cooperation Agreement for Payment of Costs Associated with Certain Community Development Commission Funded Capital Improvements and Affordable Housing Projects (the "Cooperation Agreement"), in order to facilitate the implementation of redevelopment projects and to provide funding necessary to effectuate the completion of redevelopment projects within that and future fiscal years.

Pursuant to the Cooperation Agreement and Resolution No. 147, on or about March 8, 2011, the Commission authorized and directed the transfer of certain real property (the "Commission Properties") and other assets ("Other Assets"), a list of which is attached to the resolutions as Exhibit A, for use by the City for municipal purposes consistent with the Cooperation Agreement for ongoing efforts to redevelop, revitalize and/or eliminate blight in the Commission's redevelopment project areas and for the purpose of repayment of debt owed to the City by the Commission for previously approved loans/advances for operation of the Commission.

Pursuant to the Cooperation Agreement and Resolution No. 13,951, the City approved and agreed to accept the transfer of the Commission Properties, executing certificates of acceptance (the "Certificates of Acceptance") for the Commission deeds designed to transfer ownership of the Commission Properties from the Commission to the City (the "Commission Deeds"). The Commission Deeds, along with the Certificates of Acceptance, were recorded in the official records of the County of Ventura. On or about March 9, 2011, the City and the Commission entered into that certain Agreement of Assignment (Promissory Notes and Other Evidence of Indebtedness), designed to transfer ownership of the Other Assets from the Commission to the City.

Neither the Cooperation Agreement nor the purported transfer of the Commission Properties and Other Assets (or any of the related documents and actions), have been challenged in court.

On June 28, 2011, the Governor signed ABx1 26 ("AB 26"). AB 26 states that a transfer of assets by a redevelopment agency after January 1, 2011, is deemed not to be in the furtherance of the CRL and is unauthorized. AB 26 further states, in part, that commencing February 1, 2012, arrangements between the city that created the redevelopment agency and the redevelopment agency are invalid. AB 26 further states, in part, that all assets, properties and buildings of the former redevelopment agency are transferred on February 1, 2012, to the control of the successor agency. On or about April 20, 2012, the California State Controller issued correspondence ordering the return of previously transferred assets to the successor agency.

The City and the Successor Agency have limited financial resources and desire not to initiate litigation at this time with regard to AB 26, AB 1484 and/or the purported order by the California State Controller that ownership of the Commission Properties and Other Assets be vested in the Successor Agency. In order to avoid the costs of litigation and other costs, the City and the Successor Agency desire to take action in a manner consistent with AB 26, AB 1484 and the California State Controller's purported order, and in furtherance of the Successor Agency's duties under California Health and Safety Code sections 34179.6(h)(1) and 34179.6(f), by processing documentation reflecting ownership of the Commission Properties and Other Assets by the Successor Agency.

The attached Resolutions have been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq., hereafter the "Guidelines"), and the City's environmental guidelines. Per Section 15301 of the State CEQA Guidelines, the transfer of real property and/or other assets is exempt from environmental review under CEQA because the transfer will result in a continuation of an existing facility involving no expansion of use and is therefore exempt from environmental review, and any future development of the real property or assets will require separate environmental review.

FINANCIAL IMPACT

The Cooperation Agreement previously entered into between the City and the Commission contractually committed available revenues and future tax increment revenues from each of its redevelopment project areas, to the extent such funds are realized and available. Approval of this previous action was to facilitate the transfer of all Commission assets, real property, rents, notes, receivables, cash, fund balances and other interest in the form of contracts to the City. Additionally the transfer of all Commission cash to the City was a prepayment of a portion of the $411,525,850 amount to be paid by the Commission to the City as per the Cooperation Agreement, for payment of costs associated with Commission Capital Improvement, Affordable Housing Projects and all other Commission projects, programs and activities. There is no impact to the City's General Fund as a result of the processing of documentation in order to reflect ownership of the commission properties and other assets by the successor agency.

Attachment #1 - City Council Resolution
#2 - Successor Agency Resolution

Note: Attachment #1 and Attachment #2 have been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Friday prior to the Council meeting and in the City Clerk's Office after 10:00 a.m. on Friday prior to the Council meeting.

RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE PROCESSING OF DOCUMENTATION REFLECTING OWNERSHIP OF THE COMMISSION PROPERTIES AND OTHER ASSETS BY THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

WHEREAS, the Oxnard Community Development Commission (the "**Commission**") was a redevelopment agency in the City of Oxnard (the "**City**"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "**CRL**"); and

WHEREAS, the Commission was responsible for the administration of redevelopment activities within the City; and

WHEREAS, Section 33220 of the CRL provides that certain public bodies may aid and cooperate in the planning, undertaking, construction or operation of redevelopment projects; and

WHEREAS, pursuant to such authority, on or about January 18, 2011, the City and the Commission entered into that certain Cooperation Agreement for Payment of Costs Associated with Certain Community Development Commission Funded Capital Improvement and Affordable Housing Projects (as amended by City and Commission resolutions adopted March 8, 2011, the "**Cooperation Agreement**") in order to facilitate the implementation of redevelopment projects and to provide funding necessary to effectuate the completion of redevelopment projects within that and future fiscal years; and

WHEREAS, pursuant to the Cooperation Agreement and Resolution No. 147, on or about March 8, 2011, the Commission authorized and directed the transfer of certain real property (the "**Commission Properties**") and other assets ("**Other Assets**"), a list of which is attached hereto as Exhibit A and incorporated herein by this reference, for use by the City for municipal purposes consistent with the Cooperation Agreement for ongoing efforts to redevelop, revitalize and/or eliminate blight in the Commission's redevelopment project areas and/or for the purpose of repayment of debt owed to the City by the Commission for previously approved loans/advances for operation of the Commission; and

WHEREAS, pursuant to the Cooperation Agreement and Resolution No. 13,951, the City approved and agreed to accept the transfer of the Commission Properties, executing certificates of acceptance (the "**Certificates of Acceptance**") for the Commission deeds designed to transfer ownership of the Commission Properties from the Commission to the City (the "**Commission Deeds**"); and

WHEREAS, the Commission Deeds, along with the Certificates of Acceptance, were recorded in the official records of the County of Ventura; and

WHEREAS, on or about March 9, 2011, the City and the Commission entered into that certain Agreement of Assignment (Promissory Notes and Other Evidence of Indebtedness), designed to transfer ownership of the Other Assets from the Commission to the City; and

WHEREAS, neither the Cooperation Agreement nor the purported transfer of the Commission Properties and Other Assets (or any of the related documents and actions) were challenged within the applicable statute of limitations; and

WHEREAS, AB x1 26 ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the CRL and adding Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code; and

WHEREAS, AB 26 states, in part, that "[t]he Legislature hereby finds that a transfer of assets by a redevelopment agency [after January 1, 2011] is deemed not to be in the furtherance of the [CRL] and is thereby unauthorized."; and

WHEREAS, AB 26 further states, in part, that "[c]ommencing [February 1, 2012], ... arrangements between the city ... that created the redevelopment agency and the redevelopment agency are invalid..."; and

WHEREAS, AB 26 further states, in part, that "[a]ll assets, properties [and] buildings ... of the former redevelopment agency are transferred on [February 1, 2012], to the control of the successor agency"; and

WHEREAS, on or about April 20, 2012, the California State Controller issued correspondence stating, in part, that "[i]f your city ... received any assets from a redevelopment agency after January 1, 2011, your city ... hereby is ordered to ... reverse the transfer and return the applicable assets to the successor agency of the relevant redevelopment agency."; and

WHEREAS, AB 1484 ("**AB 1484**") was signed by the Governor of California on June 27, 2012, making changes to AB 26 and certain additional changes to the CRL; and

WHEREAS, AB 1484, at California Health and Safety Code Section 34179.5(c)(2), categorizes certain assets as those "transferred after January 1, 2011 ... by the redevelopment agency ... to the city ... that formed the redevelopment agency..." ("**Section 34179.5(c)(2) Assets**"); and

WHEREAS, AB 1484, at California Health and Safety Code Section 34179.5(c)(1), categorizes certain other assets as those "transferred from the former redevelopment agency to the successor agency on or about February 1, 2012." ("**Section 34179.5(c)(1) Assets**"); and

WHEREAS, because (i) AB 26 states that a transfer of assets by a redevelopment agency after January 1, 2011 was "unauthorized", (ii) AB 26 further states that commencing February 1, 2012, arrangements between a redevelopment agency and the city that created it are "invalid" and (iii) the State Controller has purported to order that ownership of certain assets be vested in successor agencies, the Commission Properties and Other Assets are therefore not categorized as Section 34179.5(c)(2) Assets; and

WHEREAS, because AB 26 states that all assets, properties and buildings of the former redevelopment agency are transferred on February 1, 2012 to the control of the successor agency, the Commission Properties and Other Assets are therefore categorized as Section 34179.5(c)(1) Assets; and

WHEREAS, the City does not acknowledge that the purported transfer of the Commission Properties and Other Assets by the Commission to the City was not in furtherance of the CRL; and

WHEREAS, the City does not acknowledge the effectiveness of the Legislature's purported deeming not to be in furtherance of the CRL the purported transfer of assets that was conducted in accordance with the CRL at the time when made and was not challenged within the applicable statute of limitations; and

WHEREAS, the City does not acknowledge that commencing February 1, 2012, arrangements between the redevelopment agency and the city that created it are invalid; and

WHEREAS, the City does not acknowledge the effectiveness of the California State Controller's order to reverse the transfer of the Commission Properties and Other Assets and return the applicable assets to the successor agency of the Commission (the "**Successor Agency**"); and

WHEREAS, the City has limited financial resources and desires not to initiate litigation at this time with regard to AB 26, AB 1484 and/or the purported order by the California State Controller that ownership of the Commission Properties and Other Assets be vested in the Successor Agency; and

WHEREAS, in order to avoid the costs of litigation and other costs, the City desires to take action in a manner consistent with AB 26, AB 1484 and the California State Controller's purported order, and in furtherance of the Successor Agency's duties under California Health and Safety Code Sections 34179.6(h)(1) and 34179.6(f), by processing documentation reflecting ownership of the Commission Properties and Other Assets by the Successor Agency, without acknowledging the effectiveness of AB 26, AB 1484 and/or such order and duties, expressly disclaiming the same; and

WHEREAS, the City's processing of documentation reflecting ownership of the Commission Properties and Other Assets by the Successor Agency is not intended to waive, and shall not constitute a waiver, by the City of any constitutional, legal or equitable rights that the City may have to challenge, through administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of AB 26 or AB 1484, any determinations rendered or actions or omissions to act by any public agency or government entity or division in the implementation of AB 26 and AB 1484, and any and all related legal and factual issues, and the City expressly reserves any and all rights, privileges, and defenses available under law and equity; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "**Guidelines**"), and the City's environmental guidelines; and

WHEREAS, per Section 15301 of the State CEQA Guidelines, the transfer of real property and/or other assets is exempt from environmental review under CEQA because the transfer will result in a continuation of an existing facility involving no expansion of use and is therefore exempt from environmental review, and any future development of the real property or assets will require separate environmental review; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Oxnard, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

Section 2. The City hereby rescinds its previous acceptance of the transfer of the Commission Properties and Other Assets.

Section 3. The City hereby authorizes the processing of documentation via quitclaim deed(s) or other appropriate instrument in order to reflect ownership of the Commission Properties and Other Assets by the Successor Agency.

Section 4. The City Manager, or designee, is hereby authorized to take such actions and execute such documents as are necessary to effectuate the intent of this Resolution on behalf of the City.

Section 5. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Oxnard at its meeting held on the 25th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____
Dr. Thomas E. Holden, Mayor

ATTEST:

____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

____
Alan Holmberg, City Attorney

Exhibit A

List of the Commission Properties and Other Assets

[behind this page]

PROPERTIES HELD FOR RESALE

Project Area	Parcel No.	Current or Former Use	Purchase Date	Land Area (Sq.Ft.)	Valuation Method	Estimated Value
CCRP	201016007	Parking Lot	1984	650	Trend Analysis	$ 12,352
CCRP	201016009	Parking Lot	1984	4,059	Trend Analysis	$ 77,127
CCRP	201016012	Parking Lot	1981	6,447	Trend Analysis	$ 122,497
CCRP	201016013	Parking Lot	1981	7,145	Trend Analysis	$ 135,757
CCRP	201021104	Parking Lot	1984	3,250	Trend Analysis	$ 61,752
CCRP	201021112	Parking Lot	1986	4,782	Trend Analysis	$ 90,862
CCRP	201021136	Parking Lot	1985	4,288	Trend Analysis	$ 81,478
CCRP	201021310	Vacant Parcel	1990	5,628	Trend Analysis	$ 106,923
CCRP	201021313	Vacant Parcel	1986	4,513	Trend Analysis	$ 85,751
CCRP	201021314	Vacant Parcel	1990	1,825	Trend Analysis	$ 34,673
CCRP	201027202	Parcel Behind "El Parian" Restaurant	1988	4,299	Trend Analysis	$ 81,690
CCRP	201027203	Parcel Behind "El Parian" Restaurant	1986	4,299	Trend Analysis	$ 81,688
CCRP	201027217	Parcel Behind "Capri Inn"	1986	7,404	Trend Analysis	$ 140,683
CCRP	201027220	Vacant Parcel Next to "Taqueria Mi Tierra"	1989	2,465	Trend Analysis	$ 46,829
CCRP	202010120	Parking Lot	1969	2,544	Trend Analysis	$ 48,344
CCRP	202010122	Parking Lot	1969	422	Trend Analysis	$ 8,024
CCRP	202010136	Parking Lot	Not Available	296	Trend Analysis	$ 5,625
CCRP	202010140	Parking Lot Behind Real Estate	1972	1,299	Trend Analysis	$ 24,672
CCRP	202010141	Social Security Building	2008	14,560	Assessed Value	$ 1,430,761
CCRP	202010143	Parcel Next to Alt Action Program	1973	855	Trend Analysis	$ 16,252
CCRP	202010311	Parking Lot	Not Available	1,846	Trend Analysis	$ 35,065
CCRP	202010313	Elizabeth's Furniture (Former Use)	2010	2,611	Assessed Value	$ 280,000
CCRP	202010317	Parking Lot Across Plaza Park	1969	96	Trend Analysis	$ 1,820
CCRP	202010321	Plaza Laundromat (Former Use)	2010	4,224	Assessed Value	$ 218,808
CCRP	202010322	Parking Lot	1973	1,251	Trend Analysis	$ 23,763
CCRP	202010323	Parking Lot	1972	2,509	Trend Analysis	$ 47,675
CCRP	202010512	Parking Lot South of 4Square Church	1981	3,510	Trend Analysis	$ 66,686
CCRP	202010517	Parking Lot South of 4Square Church	Not Available	1,784	Trend Analysis	$ 33,903
CCRP	202010519	Parking Lot South of 4Square Church	1968	297	Trend Analysis	$ 5,639
CCRP	202010521	Parking Lot South of 4Square Church	1969	306	Trend Analysis	$ 5,816
CCRP	202010523	Parking Lot South of 4Square Church	1969	900	Trend Analysis	$ 17,107
CCRP	202010526	Alley Next to 4Square Church	1973	1,193	Trend Analysis	$ 22,676
CCRP	202010530	Breezeway Next to Barroccos	1969	3,436	Trend Analysis	$ 65,288
CCRP	202010626	Parking Lot Across from Ruby's	1969	1,073	Trend Analysis	$ 20,390
CCRP	202010628	Parking Lot Across from Ruby's	1972	1,207	Trend Analysis	$ 22,931
CCRP	202010632	Parking Lot Next to Oxnard Drugstore	Not Available	3,152	Trend Analysis	$ 59,889
CCRP	202010719	Parking Lot East of A/C Formal Wear	1970	2,786	Trend Analysis	$ 52,928
CCRP	202010721	Parking Lot North of Rancho Furniture	1969	600	Trend Analysis	$ 11,400
CCRP	202018314	Old Mexico Building (Former Use)	2005	3,491	Trend Analysis	$ 66,337
CCRP	202014422	Heritage Square	Not Available	516	Trend Analysis	$ 45,393
CCRP	202014424	Heritage Square	1991	505	Trend Analysis	$ 44,421
CCRP	202014427	Heritage Square	Not Available	2,559	Trend Analysis	$ 225,188
CCRP	202014428	Heritage Square	Not Available	2,435	Trend Analysis	$ 214,290
Downtown	201016001	Transportation Center	1987	10,143	Trend Analysis	$ 192,709
Downtown	201016002	Transportation Center	1985	8,855	Trend Analysis	$ 168,253
Downtown	201017054	Transportation Center	1986	100,122	Trend Analysis	$ 820,997
Downtown	201021130	Transportation Center	1984	9,761	Trend Analysis	$ 185,467
Downtown	202009415	Alley Access/Third St Parking Structure	1971	605	Trend Analysis	$ 11,503
Downtown	202009418	Alley Access/Third St Parking Structure	1970	1,201	Trend Analysis	$ 22,813
Downtown	202009420	Alley Access/Third St Parking Structure	1968	1,201	Trend Analysis	$ 22,827
Downtown	202009422	Alley Access/Third St Parking Structure	1968	1,191	Trend Analysis	$ 22,623
Ormond Beach	231092230	Ormond Beach	Not Available	568,894	See Note Below	$ 568,894
				CCRP		$ 4,281,150
				Downtown		$ 1,447,193
				Ormond Beach		$ 568,894
				GRAND TOTAL		$ 6,297,237

NOTES:
1. Estimated values are current as of December 2010.
2. Ormond Beach value is based on Assessed for immediately adjacent and similar properties as of the date of sale in 2005.

Attachment #1
Exhibit A
Page 7 of 26

COMMISSION ASSETS

		Central City Revitalization Project Fund		Downtown Renewal Project Fund		Southwinds Redevelopment Project Fund		Ormond Beach Redevelopment Project Fund
Assets								
Cash and cash equivalents	$	5,642,317	$	384,097	$	3,241,163	$	2,968,135
Investments with fiscal agents		953,487		-		378,752		3,903,211
Accounts and other receivables		277,408		-		-		-
Notes receivable		908,198		1,662,175		17,873		-
Properties held for resales		5,643,259		127,200		-		305,500
Total assets	$	13,424,669	$	2,173,472	$	3,637,788	$	7,176,846
Liabilities and fund balances								
Liabilities:								
Accounts payable	$	253,956	$	-	$	97,940	$	15,943
Other liabilities		56,395		-		-		-
Due to other Governments		497,850		56,648		592,798		288,653
Due to City of Oxnard		2,000,000		-		-		-
Total liabilities	$	2,808,201	$	56,648	$	690,738	$	304,596
Fund balances:								
Reserved for:								
Debt service	$	-	$	-	$	197,025	$	344,397
Notes receivable		908,198		1,662,175		17,873		-
Properties held for resale		5,643,259		127,200		-		305,500
Unreserved		4,065,011		327,449		2,732,152		6,222,353
Total fund balance		10,616,468		2,116,824		2,947,050		6,872,250
Total liabilities and fund balances	$	13,424,669	$	2,173,472	$	3,637,788	$	7,176,846

H.E.R.O. Redevelopment Project Fund	Housing Set-Aside Fund	Debt Service Fund	Total Governmental Funds	
				Assets
$ 15,404,270	$ 13,607,684	$ -	$ 41,247,666	Cash and cash equivalents
11,232,093	-	-	16,467,543	Investments with fiscal agents
-	6,140	-	283,548	Accounts and other receivables
-	2,700,000	-	5,288,246	Notes receivable
-	-	-	6,075,959	Properties held for resales
$ 26,636,363	$ 16,313,824	$ -	$ 69,362,962	**Total assets**
				Liabilities and fund balances
				Liabilities:
$ 3,163,976	$ 30,903	$ -	$ 3,562,718	Accounts payable
-	27,101	-	83,496	Other liabilities
1,905,329	-	-	3,341,278	Due to other Governments
-	-	-	2,000,000	Due to City of Oxnard
$ 5,069,305	$ 58,004	$ -	$ 8,987,492	**Total liabilities**
				Fund balances:
				Reserved for:
$ 1,647,809	$ -	$ -	$ 2,189,231	Debt service
-	2,700,000	-	5,288,246	Notes receivable
-	-	-	6,075,959	Properties held for resale
19,919,249	13,555,820	-	46,822,034	Unreserved
21,567,058	16,255,820	-	60,375,470	**Total fund balance**
$ 26,636,363	$ 16,313,824	$ -	$ 69,362,962	**Total liabilities and fund balances**

EXPENDITURE CATEGORIES

	Central City Revitalization Project Area	Consolidated Low and Moderate Income Housing Funds	Downtown Project Area	Historic Enhancement and Revitalization of Oxnard	Ormond Beach Project Area
Expenditures					
Administrative Costs	$1,509,816	$729,011	$919,405	$3,958,657	$1,310,055
Professional Services	333,969	46,787	23,222	89,214	67,344
Planning, Survey, and Design	—	—	—	—	—
Real Estate Purchases	—	—	—	—	—
Acquisition Expense	—	—	—	—	—
Operation of Acquired Property	—	—	—	—	—
Reloaction Costs/Payments	—	—	—	—	—
Site Clearance Costs	—	—	—	—	—
Project Improvement/Construction Costs	310,540	87,311	—	9,638,477	1,471,671
Disposal Costs	—	—	—	—	—
Loss on Disposition of Land Held for Resale	—	—	—	—	—
Decline in Value of Land Held for Resale	—	—	—	—	—
Rehabilitation Costs/Grants	—	—	—	—	—
Interest Expense	702,399	—	—	848,459	197,035
Fixed Asset Acquisitions	—	—	—	—	—
Subsidies to Low and Moderate Income Housing	—	—	—	—	—
Debt Issuance Costs	—	—	—	—	—
Other Expenditures	—	—	—	—	—
Debt Principal Payments					
Tax Allocation Bonds	665,000	—	—	220,000	120,000
Revenue Bonds	—	—	—	—	—
City/County Loans	—	—	—	—	—
Other Long-Term Debt	—	—	—	—	—
Total Expenditures	$3,521,724	$863,109	$942,627	$14,754,807	$3,166,105

	Southwinds Project Area	Agency Total
Expenditures		
Administrative Costs	$1,075,443	$9,502,387
Professional Services	27,303	587,839
Planning, Survey, and Design	—	—
Real Estate Purchases	—	—
Acquisition Expense	—	—
Operation of Acquired Property	—	—
Reloaction Costs/Payments	—	—
Site Clearance Costs	—	—
Project Improvement/Construction Costs	2,115,573	13,623,572
Disposal Costs	—	—
Loss on Disposition of Land Held for Resale	—	—
Decline in Value of Land Held for Resale	—	—
Rehabilitation Costs/Grants	—	—
Interest Expense	112,434	1,860,327
Fixed Asset Acquisitions	—	—
Subsidies to Low and Moderate Income Housing	—	—
Debt Issuance Costs	—	—
Other Expenditures	—	—
Debt Principal Payments		
Tax Allocation Bonds	70,000	1,075,000
Revenue Bonds	—	—
City/County Loans	—	—
Other Long-Term Debt	—	—
Total Expenditures	$3,400,753	$26,649,125

SOURCE: *Community Redevelopment Agencies Annual Report for the Fiscal Year Ending June 30, 2009* (Table 4 – Statement of Revenues and Expenditures – Fiscal Year 2008-09), State Controller's Office, December 31, 2010.

NOTES: This Exhibit C is provided to show expenditure categories allowed by California Community Redevelopment Law and recognized by the State Controller. This Exhibit is not intended to reflect or otherwise fix the amount of expenditures that may accrue to each Project Area under the Cooperation Agreement. Such costs are expected to vary between Project Areas and expenditure categories from year to year.

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
PILOT FEES					
Steadfast Holiday Manor, LP	12/1/2001	NA	$1,120,000	4/1/2021	1924 Camino del Sol
PILOT Fees for Holiday Manor Project				PILOT Fees - 252 FM Units re-habbed	
Sycamore Senior Village Apts., LP PILOT Fees for Sycamore Sr. Apts.	12/1/2008	NA	$2,226,000	4/1/2028	333 N. F St.
NEW HOUSING CONSTRUCTION AND SUBSTANTIAL REHAB					
Casa Merced	11/12/1996	A-5297	$720,846	50 yrs @ 0% but 10% if defaulted	838-840 W. Fifth St.
Casa San Juan	9/12/1995	A-5229	$578,000	3% simple interest due annually in March	540 Hobson Wy.
Habitat for Humanity	7/28/2009	A-7202	$300,000 LAIF+1%	Forgiven at completion of project; Maureen checked with Steve Newman 3/9/11	5208 Cypress Rd.
Habitat for Humanity	9/25/2007	A-6940	$760,000 6% if defaulted	Forgivable if all units conveyed to VL&L buyers by 09/25/09; Maureen checked w/Steve Newman 3/9/11	5230 Cypress Rd.
Hacienda Guadalupe	10/18/2005	A-6512	$250,000 LAIF+1%	Used for projects costs then made available to CEDC for down pmt assistance to eligible buyers	126 E. Seventh St.
Heritage Walk			$790,000	4 silent seconds; balance permit cost reimburmt.	NWC A & Seventh Sts.
HOME Corp.	3/20/2007	A-3773/A-6855	$340,000 LAIF+3%	Amended/ extended to 6/30/10	131 E. Seventh St.
Meadowcrest Villas		A-6513	$320,000	Homebuyer Assistance	Oxnard Blvd/Robert
Meta Street Apartments			$95,000 4%	Pay back from residual receipts principal est beginning Year 24, interest pmts beginning Year 1 per 12/17/01 Cash Flow projection	501 Meta St.
Oxnard Village (Wagon Wheel)					
Villa Cesar Chavez	4/1/2004	PN & Dtrust		Housing Auth. is main project manager CDC contributed $400,000	Off Hueneme Rd.
	4/1/2004	NCR Loan (Performance Loan?)	$286,000		
	6/13/2000	"City Grant"	$400,000		
	6/13/2000	City Construction Loan	$460,000		

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
PILOT FEES					
	4/15/2003	PN & Deed of Trust & Reg. Agmt. Amend.			
	4/9/2004	Modified by an Assign. Assum. Mod. Agmt.			
	3/7/2006	*City Permanent Loan PN & DT	$400,000 LAIF+4%		
	5/22/2006	Subord. Agmt.			
	3/7/2006	A-6208 amend. To PN of 4/15/03	$460,000		
	3/14/2006	Release & Termination of Reg. Agmt. For A-6208			
		Performance Loan	$286,000		
	6/13/2000	Reg. Agmt. & Declaration of Rest. Covenants			
	5/13/2006	*CDC pd. D448241 CDC's share of loan	$200,000		
Villa Madera			$207,900	441 Fund Loan to City, to be repaid by City upon receipt of addt'l Housing In-Lieu funds 6 mo's interest fee. Pd back? $300,000 loan?	1111 N. Oxnard Blvd.
HERITAGE SQUARE					
Heritage Square Summer Concerts					
Heritage Square Facilities Rental Progam					
Hector Alvarez					230 W. Seventh St.
COMMERCIAL DEVELOPMENT					
Guadalupe Martinez					350 S. Oxnard Blvd.
LEASES					
Southern California Gas Co.	1/1/2009	A-7078 LEASE	$10,000	10/31/2011	425 S. B St.
Social Security Administration	9/25/2008	A-7111 LEASE	$62,003.80	10/31/2011	327 N. Fifth St.
Rosa M. Barragan	12/22/1994	3653-05-CD LEASE	$241.00	Month-to-mo.	720 S. B St.
La Dolce Vita di Mare	4/1/2008	A-7056 LEASE	$37,832.30 plus Catering Events Additional rent	4/1/2012	740 S. B St
Villa Solimar					

Date of Approval	Project	Address	Project	Income	Assistance Source		Amount	Term (Years)	
08/27/99	Salas, Estanislao	2051 San Jose Street	SF Repair	l	CDC	$	43,425.00	Deferred	Until Title Changes
08/27/99	Valencia, Adolfo	238 McMillan Avenue	SF Repair	l	CDC	$	55,000.00	Deferred	Until Title Changes
07/17/00	Valencia, Adolfo	238 McMillan Avenue	SF Repair	l	CDC	$	3,269.00	Deferred	Until Title Changes
11/01/00	Macias, Felipe	136 Thomas Avenue	HERO SF Repair	L	CDC	$	65,142.00	Deferred	Until Title Changes
12/13/00	Aroyo, Miguel	1301 Commercial Avenue 33	MH Replacement Loan	VL	CDC	$	48,600.00	Deferred	Until Title Changes
06/19/01	Macias, Felipe	136 Thomas Avenue	HERO SF Repair	L	CDC	$	7,057.50	Deferred	Until Title Changes
10/3/2001	Siqueriros, Evangelina	1301 Commercial #46	MH Replacement Loan	l	CDC	$	40,500.00	Deferred	Until Title Changes
03/03/02	Moran, Salvador	200 Campbell Way	Sw Homebuyer	L	CDC	$	30,000.00	Deferred	Until Title Changes
04/19/02	Rojas, Angel	234 W. Wooley Road	SF Repair	L	CDC	$	2,390.06	Deferred	Until Title Changes
08/21/02	Lara, Ramiro	814 Trinidad	HERO - Repair Deferred Loan	VL	CDC	$	20,000.00	Deferred	Until Title Changes
10/16/02	Garcia, Jose and Martha	1301 Commercial #24	MH Replacement Loan	VL	CDC	$	40,500.00	Deferred	Until Title Changes
10/16/02	Ledesma, Herminia	1301 Commercial #109	MH Replacement Loan	VL	CDC	$	23,850.00	Deferred	Until Title Changes
10/16/02	Magdaleno, Ernique	1301 Commercial #108	MH Replacement Loan	VL	CDC	$	23,850.00	Deferred	Until Title Changes
10/16/02	Quintero, Mercedes	250 E. PV #17	MH Replacement Loan	VL	CDC	$	31,800.00	Deferred	Until Title Changes
12/11/02	Flores, Santana	5329-5331 Cypress Road	HERO - Repair Deferred Loan	VL	CDC	$	40,000.00	Deferred	Until Title Changes
02/12/03	Carbajal, Rosa	101 Cordova Street	HERO - Repair Deferred Loan	VL	CDC	$	70,497.50	Deferred	Until Title Changes
09/12/03	Burciaga, jesusita	220 Clark Court	Southwinds Repair	l	CDC	$	10,000.00	10	
10/22/03	Rios, Jose	1301 Commercial #132	MH Replacement Loan	VL	CDC	$	43,634.00	Deferred	Until Title Changes
11/18/03	Rojas, Angel	234 W. Wooley Road	SF Repair	L	CDC	$	13,882.00	Deferred	Until Title Changes
01/14/04	Zamora, Martha	250 E. Pleasant V #29	MH Replacement Loan	VL	CDC	$	31,217.00	Deferred	Until Title Changes
02/17/04	Campa, Felipe	1301 Commercial #114	MH Replacement Loan	L	CDC	$	28,590.00	Deferred	Until Title Changes
02/18/04	Garcia, Silvia	1301 Commercial #97	MH Replacement Loan	VL	CDC	$	7,864.90	Deferred	Until Title Changes
02/18/04	Reyes, Angelina	1301 Commercial #111	MH Replacement Loan	L	CDC	$	10,637.50	Deferred	Until Title Changes
06/23/04	Garcia, Nellie	221 Vegas Drive	HERO Repair Deferred Loan	VL	CDC	$	60,000.00	Deferred	Until Title Changes
06/23/04	McNally, Gloria	168 Lark Street	HERO Repair Deferred Loan	VL	CDC	$	3,378.50	Deferred	Until Title Changes
06/24/04	Dennis Waldman	231 Cuesta Del Mar	SW - Repair Deferred Loan	L	CDC	$	40,000.00	Deferred	Until Title Changes
09/14/04	Jimenez, Antonio	5141-5146 Roland Way	Southwinds Repair	l	CDC	$	46,743.50	Deferred	Until Title Changes
09/15/05	Tapia, Cesar	1301 Commercial Avenue #5	MH Replacement Loan	VL	CDC	$	61,150.40	Deferred	Until Title Changes
06/22/06	Barajas, Jonas & Gladys	1120 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
06/22/06	Gallegos, Antonio & Rosa	1020 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Mora, Esperanza	1080 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Newton Barry & Michelle	1054 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Novoa, Hidania	1050 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Overtton, William & Crystal	1124 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Rodriguez, Ruth & Pablo	1150 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
06/22/06	Ruiz, Fernando & Carmelita	1084 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
09/06/06	D'Orazio, Joanette	5341 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5355 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5401 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5345 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	McKinnon, William	710 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	677.50	5	
09/06/06	McKinnon, William	720 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	677.50	5	
11/08/06	Juarez, Daniel	120 Carlisle Court	SW - 50% Repair Grant	L	CDC	$	10,000.00	5	
02/21/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	25,802.50	5	
02/21/07	Fernandez, Alberto	321 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	15,105.00	5	

Date of Approval	Project	Address	Project	Income	Assistance Source	Amount	Term (Years)	
02/21/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$ 3,275.00	5	
03/06/07	Crist, Berna	213 7th Street	Heritage Walk Homebuyer	L	CDC	$ 97,000.00	45	
03/23/07	Contreras, Mauricia	653 A Street	Heritage Walk Homebuyer	VL	CDC	$ 313,000.00	45	
03/23/07	Nantasenamat, Arkapol	659 A Street	Heritage Walk Homebuyer	M	CDC	$ 87,000.00	45	
03/30/07	Dockery, William II	643 A Street	Heritage Walk Homebuyer	M	CDC	$ 87,000.00	45	
04/17/07	Luna, Sergio & Patricia	112 James Avenue	HERO Repair Deferred Loan	VL	CDC	$ 12,970.00	Deferred	Until Title Changes
04/18/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$ 11,197.50	5	
07/18/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 11,923.00	5	
07/18/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 12,679.00	5	
07/18/07	Lunde, Robert	5450 South J Street	SW - Security Repair Grant	51% Low	CDC	$ 13,382.50	5	
07/18/07	McKinnon, William	710 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 19,054.40	5	
07/18/07	McKinnon, William	720 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 18,748.85	5	
09/14/07	Oxnard Housing Authority	640-666 Cuesta Del Mar	SW - Security Repair Grant	51% low	CDC	$ 20,000.00	5	
10/03/07	McKinnon, William	710 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$ 6,355.00	5	
10/03/07	McKinnon, William	720 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$ 6,355.00	5	
10/03/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 2,500.00	5	
10/03/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 2,000.00	5	
10/03/07	Lunde, Robert	5450 South J Street	SW - Security Repair Grant	51% Low	CDC	$ 2,000.00	5	
10/03/07	McKinnon, William	710 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 2,500.00	5	
10/03/07	McKinnon, William	720 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 2,500.00	5	
11/09/07	Cervantes, Erika	1301 Commercial Ave #79	MH Replacement Loan	VL	CDC	$ 73,162.00	Deferred	Until Title Changes
11/09/07	Melgoza, Jesus	1301 Commercial Ave #52	MH Replacement Loan	L	CDC	$ 69,885.00	Deferred	Until Title Changes
12/05/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 6,190.00	5	
12/05/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$ 6,190.00	5	
01/09/08	Pinedo, Elvia	2110 Camino Del Sol	HERO Repair Deferred Loan	VL	CDC	**$ 58,040.00**	Deferred	Until Title Changes
01/09/08	Fernandez, Alberto	321 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$ 13,663.00	5	
02/05/08	Contreras, John	160 James Avenue	HERO Deferred Loan	VL	CDC	**$ 44,595.00**	Deferred	Until Title Changes
04/09/08	Moss, Marlon	241 Chester Way	SW - 30% Repair Grant	51% Low	CDC	$ 3,633.00	5	
04/09/08	Moss, Marlon	241 Clara Street	SW - 30% Repair Grant	51% Low	CDC	$ 3,633.00	5	
08/05/08	Carrillo, Gilberto	311 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$ 15,903.75	5	
08/05/08	Carrillo, Gilberto	411 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$ 24,666.25	5	
08/05/08	Rodriguez, Dionisio	300 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$ 22,028.75	5	
09/10/08	Rocha, Maria	119 Gibraltar Street	HERO Repair Deferred Loan	L	CDC	$ 18,000.00	Deferred	Until Title Changes
06/28/10	Magaña, Rosario	1301 Commercial Ave., Sp. #	MH Replacement Loan	VL	CDC	$ 60,143.00	Deferred	Until Title Changes
07/01/10	Perez, Eloina	2171 Cloyne Street	HERO SF Repair	l	CDC	$ 57,624.00	Deferred	Until Title Changes

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
RIVERPARK					
Paseo Del Rio Associates, LP (CEDC)	08.22.07	A-5965	$2,700,00	08.28.67	Lot 19, Tract No.5352-1
Paseo Santa Clara Associates, LP (CEDC)	08.22.07	A-5965	$2,200,00	08.28.67	Lot 19, Tract No.5352-1
ED, LLC & KOH, LLC (ED 2, LLC & KOH 12-17,LLC) Aldersgate Investments, LLC	03.05.2010 08.16.2010	A-7204 A-7207 A-7208 A-7336	$1,350,000 $750,000	03.05.2013 08.16.2010	Lot No. 3, Tract No.5352-1 Lot 18, Tract No. 5352-1

[illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]			
228 S. A St.	Luis Recharte & Kimberly	Clark Bldg.			N/A			OUTSIDE	N/A
300 S. A St.	Focil Medical	Focil Med	4519-08-CD	Agreement to Pay Architect	Payment #1	11/09/07	$ 2,879.60	INACTIVE	N/A
					Payment #2	08/05/08	$ 2,221.66	*no bids for signage rec'd*	
			4291-07-CD						
309 S. A St.	Dale & Patricia Givner	Givner Bldg.	4274-07-CD	??				COMPLETE	YES
			4446-08-CD	Approval of Paint Contractor	Payment #1	06/02/08	$ 6,012.00		
					Payment #2	06/02/08	$ 668.00		
			4446-08-CD	Agreement to Pay Painter					
			4447-08-CD	Promissory Note ($6,680) Sent to City Clerk	Payment #1/#2	03/09/09	$ 461.99		
					Payment #3	03/24/09	$ 230.55		
			4759-09-CD	Promissory Note ($691.64) Sent to City Clerk					
318 S. A St.	Elio Espino	Therapeutic Home Care(AP	4627-08-CD	Approval of Sign Vendor & PN *(same Agmt # used for both)*	Payment (lump sum)	12/09/08	$ 4,560.00	COMPLETE	YES
325 S. A St.	Osbaldo Lopez	Casa Lopez (AP)	4325-07-CD	Approval of Architectural Vendor				COMPLETE	No PN
			4370-08-CD	Approval of Sign Vendor	Payment #1	03/10/08	$ 3,333.00		
					Payment #2	08/05/08	$ 3,236.37		
					Payment #3	08/05/08	$ 3,236.36		
36[illegible] S. A St.	Alma Ibarra	Tropicana Travel	50[illegible]-10-CD	Approval sign vendor	Payment #1	[illegible]	$6[illegible].25	ACTIVE	NR
			50[illegible]7-10-CD	Approval sign vendor	Payment #2	03/0[illegible]	$68[illegible]		
			5247-10-CD	Paint vendor	Payment #2	[illegible]	$900.00		
363 S. A St.	Larry Graves & Anne Stoll	Stoll/Graves Bldg.	4961-09-CD	Approval of Paint Vendor	Payment #1		$ 3,973.05	ACTIVE	YES
			4961-09-CD	Approval of Paint Vendor	Payment #2	01/11/11	$ 4,855.95		
			4960-09-CD	Promissory Note ($8,829)					
			5016-10-CD	Approved Sign vendor	Payment #1	02/22/11	$390.33		
363 S. A St.	Dr. Bernard Rubin	Bernard Rubin OD, LLC						WITHDRAWN Business Sold	N/A
363 S. A St.	Dr. Pazen	"A" Street Optometric Center, PC	5018-10-CD	Approval sign vendor	Payment #1	01/11/11	$1,006.93	ACTIVE	NR
			5018-10-Cd	Approval sign vendor	Payment #2	03/01/11	$1,936.66		
			5246-10-CD	Vendor approval for Paint	Payment #2	01/11/11	$900.00		

401 S. A St.	Magda Weydt	Fresh 'N Fabulous	5284-10-DS	Approval of Signs Pacific				ACTIVE	NR
420 & 422 S. A St.	Bijan Neiman	Domani Rugs (AP)	4275-07-CD	Approval of Sign Vendor	Payment #1	03/18/08	$ 3,333.00	COMPLETE	YES
					Payment #2	03/17/09	$ 3,333.50		
					Payment #3	03/24/09	$ 3,333.50		
			4750-09-CD	Promissory Note ($10,000) Sent to City Clerk					
428 S. A St.	Veronica Muñoz & Jose	BG's Cafe (AP)	4276-07-CD	Architectural					
			4721-09-CD	Sign	Payment #1	01/20/09	$ 2,700.00	COMPLETE	No PN
					Payment #2	04/28/09	$ 2,939.25		
					Payment #3	04/28/09	$ 2,939.25		
434 S. A St.	Jane Lai & Larry Lai	Peter Lopez Bldg	[illegible]-07-CD	Architectural	Payment #1	12/22/08	$ [illegible]	INACTIVE	N/A
					Reimburse	02/09/09	$ [illegible]		
455 S. A St.	Martin Ledesma	Sugar Beets	5213-10-CD	Approval of Sign Vendor	Payment #1	10/27/10	$ 3,217.15	COMPLETE	
			5213-10-CD	Approval of Sign Vendor	Payment #2	10/27/10	$ 3,217.15		
			5213-10-CD	Approval of Sign Vendor	Payment #3	01/25/11	$ 3,217.15		
			5190-10-CD	Promissory Note ($9,651.45)					
462 S. A St.	Gabraith Moreno	The Kitchen	5352-11-DS	Approval of Sign vendor	Payment #1	Design vendor	$ [illegible]	ACTIVE	
					Payment #2	Design vendor	$ 1,520.00		
539 S. A St.	Paulina Orozco	Madre Tierra	4716-09-CD	Agreement to Pay Sign Vendor	Payment #1	01/20/09	$ 1,940.40	COMPLETE	YES
					Payment #2	04/28/09	$ 1,940.40		
					Payment #3	04/28/09	$ 1,940.40		
			4851-09-CD	Promissory Note ($5,880) Sent to City Clerk					
544-550 S. A St.	Elio Espino	Master Sign Program	4926-09-CD	Sign Program	Payment #1	11/03/09	$ 500.00	COMPLETE	N/A
					Payment #2	03/02/10	$ 500.00		
550 S. A St.	Sylvia Lopez	Divine Hair Desgin	4715-09-CD	Approval of Sign vendor	Payment #1	04/21/09	$ 3,085.50	COMPLETE	YES
			5108-10-CD	Promissory Note ($4,180) Sent to City Clerk	Payment #2 Final	06/15/10	$ 1,094.50		
560 S. A St.	Armando Vasquez	KC Knockout	5050-10-CD	Architectural Services	Payment [illegible]	04/20/10	$ 3,520.00	INACTIVE	?
					Payment #[illegible]	04/27/10	$ [illegible]480.00	no sign yet	

608 S. A St.	Karen Baldonado	Otani Fish	5032-10-CD	Mural Painting	Payments #1	03/23/10	$ 2,953.33	ACTIVE?	
					Payment #2	03/23/10	$ 2,953.33		
658 S. A St.	Steve Choy & Eva Bravo	Play Billiards	4785-09-CD	Approval of Sign Vendor	Payment #1	05/19/09	$ 3,194.00	COMPLETE	YES
					Payment #2	07/06/10	$ 3,194.00		
					Payment #3	11/17/10	$3,292.00		
			4842-09-CD	Promissory Note ($9,880) Sent to City Clerk					
700-760 S. A St.	Charles Chuback (AP)		4324-07-CD	Approval of Architect	Payment #1	12/21/07	$ 3,272.50	COMPLETE	
					Payment #2	02/05/08	$ 708.72		
					Payment #3	05/13/08	$ 514.00		
					Payment #4	09/16/08	$ 600.00		
				Approval of Sign Vendor	Payment #1	04/15/08	$ 600.00		
			5069-10-CD	Approval of Constractor Vendor	Payment #1	05/04/10	$ 6,925.03		
					Payment #2	05/11/10	$ 6,972.80		
					Payment #3	08/17/10	$ 6,834.07		
			5288-10-CD	Promissory Note ($7,747.64)					YES
			5288-10-CD	Promissory Note ($12,984.36)					YES
741 S. A St.	Faye Hawes (AP)	Rancho Ventavo Cellars	4840-09-CD	Agmt Approval of sign vendor	Payments #1/#2/#3	07/07/09	$ 943.13	COMPLETE	YES
			4841-09-CD	Promissory Note ($943.13) Sent to City Clerk					
746 S. A St.	Marya Dolores Tovar	Pilar's Cafe	4718-09-CD	Sign	Payment #1	01/20/09	$ 1,640.90	COMPLETE	YES
					Payment #2	04/28/09	$ 1,640.90		
					Payment #3	04/28/09	$ 1,640.90		
			4874-09-CD	Promissory Note ($4,972.50) Sent to City Clerk					
361 S. B St.	Irene Cuevas (AP)	Irene's Beauty Salon	4715-09-CD	Sign *Agmt# 4720-09 voided*	Payment #1	01/20/09	$ 1,739.10	COMPLETE	YES
					Payment #2	04/28/09	$ 1,739.10		
					Payment #3	04/28/09	$ 1,739.10		
			5143-10-CD	Promissory Note (5217.30) Sent to City Clerk					
400 S. A St.	Western Coastal Dev. LLC (AP)	Swift Building	4397-08-CD	Agreement to pay Painter	Payment (lumpsum)		$ 9,800.00	COMPLETE	YES
			4279-07-CD	Promissory Note					

[illegible]

Property	Applicant	Business	[illegible]	[illegible]		[illegible]		Status	[illegible]
450 S. B St.	Ming Shoun Lin (AP)	China Square Restaurant	4812-09-CD	Approval of Sign Vendor	Payment #1	06/09/09	$ 3,300.00	COMPLETE	YES
					Payment #2	06/09/09	$ 3,300.00		
			4843-09-CD	Approval of Sign Vendor					
			4847-09-CD	Promissory Note ($10,000) Sent to City Clerk					
			4859-09-CD	Sign	Payment #1	02/02/10	$ 3,400.00		
548 S. C St.	Steven Goo	Simplicity	4719-09-CD	Sign	Payment #1	01/20/09	$ 3,220.80	BUSINESS CLOSED	NO PN
548 S. C St.	Patricia Moo	Patty's Perfect Fit	4985-10-CD	Approval of Vendor	Payment #1	02/09/10	$ 2,712.60	COMPLETE	NO PN
					Payment #2	04/27/10	$ 2,712.60		
					Payment #3	04/27/10	$ 2,794.80		
552 S. C St.	Maria Elena Alvarado	Professional Cut	4717-09-CD	Agmt to Pay Sign Vendor	Payment #1	01/20/09	$ 1,504.80	COMPLETE	YES
					Payment #2	08/25/09	$ 1,504.80		
					Payment #3	08/25/09	$ 1,550.40		
			4883-09-CD	Promissory Note ($4,560) Sent to City Clerk					
560 S. C St.	Maria R. Alcantar	Dreams & Illusions Bridal	4788-09-CD	Approval of Sign Vendor	Payment #1	04/28/09	$ 2,401.40	COMPLETE	YES
					Payment #2	08/25/09	$ 2,401.40		
					Payment #3	08/25/09	$ 2,474.20		
			4852-09-CD	Promissory Note ($7,277) Sent to City Clerk					
220 W. Third St.	Leobigilda Avendano	Salon Alta Moda	4332-07-CD	Agreement to pay Sign Vendor	Payment #1	01/08/08	$ 3,333.00	COMPLETE	YES
					Payment #2	03/18/08	$ 3,333.00		
					Payment #3	07/22/08	$ 3,334.00		
			4448-08-CD	Promissory Note (10,000) Sent to City Clerk					
215 W. Fourth St.	Jacquline DeGante	DeGante's Work Uniforms	4961-09-CD	Paint	Payment #1	02/02/10	$ 3,973.05	ACTIVE	NR
			5019-10-CD	Vendor approval for sign	Payment #1	01/11/11	$614.26		
			5019-10-Cd	Vendor approval for sign	Payment #2	03/01/11	$1,283.33		
			5249-10-Cd	Paint vendor	Payment #2	01/11/11	$900.00		
221 W. Fourth St.	Ana Rivera	Anita's Salon of Beauty	5020-10-CD	Vendor approval for sign	Payment #1	01/11/11	$614.26	ACTIVE	NR
			5020-10-CD	Vendor approval for sign	Payment #2	03/01/11	$650.00		
			5248-10-CD	Paint vendor	Payment #2	01/11/11	$900.00		

156 W. Fifth St.	Patricia Behrens & David	Special Occasions Mall	4281-07-CD	Architectural	Payment #1	10/30/07	$ 5,000.00	COMPLETE	YES
			4524-08-CD	Promissory Note $10,000					
			4507-08-CD	Paint	Payment #1	07/22/08	$ 4,140.00		
					Payment #2	07/22/08	$ 4,140.00		
200 W. Fifth St.	Mark Shipp	Ogilvy-Hill Insurance	4859-09-CD	Approval of Sign Vendor	Payment #1	07/21/09	$ 3,286.00	COMPLETE	YES
					Payment #2	12/01/09	$ 3,288.00		
			4846-09-CD	Promissory Note ($10,000) Sent to City Clerk					
338-344 W. Fifth St.	Richard Devericks	Folcke Building	5015-10-CD	Sign Program	Payment #1	03/25/10	$ 500.00	ACTIVE	N/A
			5015-10-CD	Sign Program	Payment #2	01/25/11	$ 500.00		
333 W. Sixth St.	Goodwill Industries of Ventura & Santa Barbara	Goodwill Industies	4786-09-CD	Approval of Sign Vendor	Payment #1	04/28/09	$ 1,343.30	COMPLETE	YES
					Payment #2	11/03/09	$ 1,578.00		
					Payment #3	02/02/10	$ 1,874.00		
			4839-09-CD	Promissory Note ($4,030)					
			4901-09-CD	Paint	Payment #1	10/12/09	$ 1,803.33		
					Payment #2	11/09/09	$ 1,803.33		
					Payment #3	01/13/10	$ 1,435.00		
					Payment #4	01/13/10	$ 1,808.33		
701 S. Oxnard Blvd.	Eric Ng	Golden Chicken Inn	4682-08-CD	Architectural	*n/a*	n/a	n/a	ACTIVE	
			5353-11-DS	Coastal Architects	*Payment #1*	02/23/11	$1,000.00		
348-350 S. Oxnard Blvd	Guadalupe Martinez (AP)	Ruby's Cafe	[illegible]	Approval of Sign Vendor & PN (Same Agmt used for both)	PN (10,000?)		$ 6,527.00	COMPLETE	YES
532 S. Oxnard Blvd.	Robert Wademan (AP)	Empty Building (Pawnshop)	4858-09-CD	Agmt Approval of architect	Payment #1	12/01/09	$ 3,260.00	INACTIVE	N/A
					Payment #1	12/01/09	$ 942.50		
601 S. Oxnard Blvd.	Raul Orozco (Efren Chavez, past owner)	El Dorado (El Coyote Inc., past name)	4863-09-CD	Approval of Sign Vendor	Payment #1	07/28/09	$ 3,288.12	ACTIVE	YES
			ownership & name change complete?		?				
			5209-10-CD	Promissory Note ($6,711.88)					
626 S. Oxnard Blvd.	Paul Sangster	El Teatro Theatre	4282-07-CD	Architectural	Payment #1	12/22/08	$ 1,799.25	ACTIVE	?
					Payment #2	02/03/09	$ 3,200.75		
			4683-08-CD	Johnson & Muller					
			4944-09-CD	Color Consultant	Payment #1	12/01/09	$ 500.00		
			applicant has expressed reservation w/ Deed & has not moved past design stage - soda blasting, paint etc approved						

[redacted]

[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	Payment # 1	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
749 S. Oxnard Blvd.	Jacqueline Jinju Lee	Oxnard Medical Supply	4787-09-CD	Approval of Sign-Vendor	Payment #1	04/28/09	$ 3,310.00	COMPLETE	YES
					Payment #2	11/03/09	$ 3,310.00		
					Payment #3	03/02/10	$ 3,312.00		
			4969-10-CD	Promissory Note (?) Sent to City Clerk					

Attachment #1
Exhibit A

[illegible]									
Property Location	Applicant	Business	Number	[illegible]		[illegible]		[illegible]	[illegible]
128-140 N. A St. Sign Program	Puri Living Trust	Puri Dentistry Allstate, Magnifico Hair, Chispin Sign	4941-09-CD	Building design program	Payment #1	12/04/09	$ 475.00	ACTIVE	No
					Payment #2	03/02/10	$ 345.00		
					Payment #3	03/23/10	$ 90.00		
			5183-10-CD	Promissory Note	Payment #1	pending			
128 N. A St.	Daisy Hernandez	Digital Studio	5279-10-CD	Sunbilla Awning sign	Payment #1	02/23/11	$779.82	ACTIVE	NO
130 N. A St.	Oscar Salazar	Imperial Group		Sunbilla Awning sign	Payment #1	02/23/11	$577.93	ACTIVE	NO
132 N. A St.	Fancisco Reyes	Chispin Signs and		Sunbilla Awning sign	Payment #1	02/23/11	$690.82	ACTIVE	No
134 N. A St.	Socorro Cerda	Magnifico Hair Design	5273-10-CD	Sunbilla Awning sign	Payment #1	02/23/11	$716.95	ACTIVE	NO
136 N. A St.	Hipolito Martinez	Allstate	527[illegible]-10-CD	Sign vendor	Payment #1	02/22/11	$746.95	ACTIVE	No
140 N. A St.	Puri Dentistry	Puri Dentistry	5269-10-CD	Sunbilla Awning sign	Payment #1	pending			NO
416 N. A St.	ARC of Ventura County, Inc.	The ARC of VC Admin Ofcs	5167-10-CD	Promissory Note ($9,155.61)				COMPLETE	YES
			5106-10-CD	Approval of Sign Vendor	Payment #1	04/13/10	$ 1,853.52		
					Payment #2	08/17/10	$ 1,853.52		
					Payment #3	11/10/10	$1,853.52		
			5166-10-CD	Approval of Awnings Vendor	Payment #1	09/14/10	$ 1,797.53		
					Payment #2	09/28/10	$ 1,797.53		
134 S. A St.	Guadalupe Rios	Estetica Hair Salon	5192-10-CD	Promissory Note ($7,888.50)				COMPLETE	YES
			5193-10-CD	Approval of Sign Vendor	Payment #1	08/31/10	$ 2,654.50		
					Payment #2	08/31/10	$ 2,654.50		
					Payment #3	10/05/10	$ 2,654.50		
521-527 S. C St.	Heliodoro Avalos	Avalos Building	5131-10-CD	Approval of Architect	Payment #1	07/13/10	$ 2,500.00	ACTIVE	No
					Payment #2	09/14/10	$ 862.00		
					Payment #3	10/19/10	$ 1,668.00		

[illegible]									
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]		[illegible]	[illegible]
				Sign Program	Payment #1	07/13/10	$ 497.50		
				Sign Program	Payment #2	07/13/10	$ 497.50		
521 S. C St.	Balvinder Singh Gill	Circle 9						ACTIVE	NO
523 S. C St.	Melody Montoya	Amigos Travel						ACTIVE	NO
527 S. C St.	Ana M. Almaguer	Paradise Flowers and more						ACTIVE	NO
425 N. Oxnard Blvd.	Astolfo Gutierrez	Al's Income Tax, Melissa's Insurance & La Colonial Bakery						ACTIVE	NO
477 N. Oxnard Blvd.	William/Brian Henggeler	Dominick's Italian Restaurant	5286-10-DS	Architectural Services	Payment #1	12/15/10	$1,000.00	ACTIVE	NO
			5286-10-DS	Architectural Services	Payment #2	01/25/11	$1,220.00		
			5286-10-DS	Architectural Services	Payment #3	02/08/11	$2,161.26		
625 N. Oxnard Blvd.	The ARC Foundation of ARC Thrift Store		5178-10-CD	Approval of Anti-	Payment #1	09/28/10	$ 762.00	COMPLETE	
					Payment #2	11/17/10	$ 762.00		
			5188-10-CD	Approval of Paint Vendor	Payment #1	09/29/10	$ 2,112.50		
					Payment #2	10/05/10	$ 2,112.50		
			5189-10-CD	Promissory Note ($5,820.35)					YES
			5190-10-CD	Promissory Note ($10,000)					YES
			5191-10-CD	Approval of SignVendor	Payment #1	09/28/10	$ 1,132.08		
					Payment #2	09/28/10	$ 1,132.03		
			5201-10-CD	Approval of Awnings Vendor	Payment #1	09/28/10	$ 3,373.27		
			5201-10-CD	Awning Vendor	Payment #2	01/25/11	$2,973.26		
			5201-10-CD	Awning Vendor	Payment #3	02/01/11	$2,973.26		
2502 Saviers Rd.	Iris Bae	Ross Cleaners	5260-10-DS	Approval of external signage	Payment #1	11/30/10	$1,804.28		

Property Location	Applicant	Business	Number	[illegible]	[illegible]			[illegible]	[illegible]
			5260-10-DS	Progress of sign payment	Payment #2	[illegible]	$ [illegible]		
				File Closed on [illegible]					
2510 Saviers Rd.	Sam K. Seng	Oxnard Donuts	5174-10-CD	Approval of Sign Vendor	Payment #1	08/10/10	$ 2,624.94	COMPLETE	
					Payment #2	08/10/10	$ 2,624.94		
					Payment #3	09/28/10	$ 2,624.94		
			5285-10-CD	Promissory Note ($7,874.82)					YES
3211 Saviers Rd.	Sam K. Chanthy & L. Seng Trust	Fred's Gas & Food Mart	4966-09-CD	Approval of Architect	Payment #1	01/19/10	$ [illegible]	ACTIVE	
					Payment #2	02/02/10	$ [illegible]		
					Payment #2	04/20/10	$ [illegible]		
			5157-10-CD	Approval of Sign Vendor	Payment #1	07/29/10	$ 8,700.00		
					Payment #2	09/28/10	$ 4,350.00		
					Payment #3	02/15/11	$ 4,350.00		
			5168-10-CD	Agreement w/Garnica Construction Co.	Payment #1	[illegible]	$ [illegible]		
					Payment #2	02/15/11	$11,262.50		
3725 Saviers Rd.	Romulo Nicholas	Jessica de Leon	4942-09-CD	Approval Painter	Payment #1	12/01/09	$ 4,500.00	COMPLETE	
					Payment #2	12/01/09	$ 4,500.00		
					Payment #3	12/01/09	$ 1,000.00		
			4955-09-CD	Promissory Note ($10,000)					YES
4238 Saviers Rd.	Jamie Sandoval	Fresh Mex Bar & Grill	5073-10-CD	Promissory Note				COMPLETE	YES
			5051-10-CD	Approval Sign Vendor	Payment #1	04/27/10	$ 1,973.06		
					Payment #2	05/04/10	$ 2,260.23		
					Payment #3	05/04/10	$ 2,260.23		

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]
811 & 813 Ventura Blvd	Steve Gibson	Ellots Unfinished Furniture and JJ Furniture	4904-09-CD	Promissory Note ($10,000)				COMPLETE	
			4905-09-CD	Promissory Note ($50,000)					
			4908-09-CD	Approval of General Contractor	Payment #1	12/01/09	$ 9,326.50		
					Payment #2	01/12/10	$ 11,502.92		
					Payment #3	02/02/10	$ 4,918.09		
					Payment #4	02/02/10	$ 2,371.92		
					Payment #5	02/02/10	$ 4,918.49		
					Payment #6	02/02/10	$ 4,377.92		
					Payment #7	02/09/10	$ 7,444.93		
					Payment #8	02/09/10	$ 2,704.28		
					Payment #9	03/16/10	$ 4,918.17		
887 Ventura Blvd.	Tom Schlender	Warehouse Discount	5005-10-CD	Approval of				COMPLETE	YES
			5047-10-CD	Promissory Note					
			5072-10-CD	Approval of Painter	Payment #3	05/04/10	$ 10,280.00		

Attachment #1
Exhibit A
Page 25 of 26

Summary of Strand / San Carlos Loan Obligations per Centennial Plaza DDA

6/9/2011

Borrower	Origination Date	Loan Agreement Number (or name)	Loan Amount	Due date	Property Location	Balance of obligation as of June 2011
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Lease Consideration Promissory note (interest only payment up to 4/11)	1,000,000	Monthly payments through Cinema lease term (2028)	Centennial Plaza, 5th and B St. Downtown Oxnard	1,150,000 (reflects estimated interest)
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Purchase Price Promissory Note (interest only payment up to 4/11)	800,000	Monthly payments through Cinema lease term (2028)	Centennial Plaza, 5th and B St. Downtown Oxnard	920,000 (reflects estimated interest)
San Carlos Cinemas, Inc.(Operator)	DDA dated 3-7-03	Lease Guarantee Reimbursement Promissory note	Variable. Loan balance equal to total of all lease guarantee payments	No installment payments required. Due upon the specified events in the DDA, such as sale of property	Centennial Plaza, 5th and B St. Downtown Oxnard	2,400,000 (cummulative total of guarantee payments with estimated interest)
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Lease Guarantee Payment Promissory Note	Variable. Loan balance equal to the total of all lease guarantee payments.	Same obligation as described in San Carlos loan above, loan transfers from San Carlos to Strand upon specified events in DDA, i.e., termination or cancellation of theater lease.	Centennial Plaza, 5th and B St. Downtown Oxnard	No obligation exists until specified event in DDA occurs
RiverPark		Downtown Assistance Plan				$8,000,000.00

RESOLUTION NO. SA-___

RESOLUTION OF THE GOVERNING BOARD OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY AUTHORIZING THE PROCESSING OF DOCUMENTATION CONFIRMING ITS OWNERSHIP OF THE COMMISSION PROPERTIES AND OTHER ASSETS

WHEREAS, the Oxnard Community Development Commission (the "**Commission**") was a redevelopment agency in the City of Oxnard (the "**City**"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "**CRL**"); and

WHEREAS, the Commission was responsible for the administration of redevelopment activities within the City; and

WHEREAS, Section 33220 of the CRL provides that certain public bodies may aid and cooperate in the planning, undertaking, construction or operation of redevelopment projects; and

WHEREAS, pursuant to such authority, on or about January 18, 2011, the City and the Commission entered into that certain Cooperation Agreement for Payment of Costs Associated with Certain Community Development Commission Funded Capital Improvement and Affordable Housing Projects (as amended by City and Commission resolutions adopted March 8, 2011, the "**Cooperation Agreement**") in order to facilitate the implementation of redevelopment projects and to provide funding necessary to effectuate the completion of redevelopment projects within that and future fiscal years; and

WHEREAS, pursuant to the Cooperation Agreement and Resolution No. 147, on or about March 8, 2011, the Commission authorized and directed the transfer of certain real property (the "**Commission Properties**") and other assets ("**Other Assets**"), a list of which is attached hereto as Exhibit A and incorporated herein by this reference, for use by the City for municipal purposes consistent with the Cooperation Agreement for ongoing efforts to redevelop, revitalize and/or eliminate blight in the Commission's redevelopment project areas and/or for the purpose of repayment of debt owed to the City by the Commission for previously approved loans/advances for operation of the Commission; and

WHEREAS, pursuant to the Cooperation Agreement and Resolution No. 13,951, the City approved and agreed to accept the transfer of the Commission Properties, executing certificates of acceptance (the "**Certificates of Acceptance**") for the Commission deeds designed to transfer ownership of the Commission Properties from the Commission to the City (the "**Commission Deeds**"); and

WHEREAS, the Commission Deeds, along with the Certificates of Acceptance, were recorded in the official records of the County of Ventura; and

WHEREAS, on or about March 9, 2011, the City and the Commission entered into that certain Agreement of Assignment (Promissory Notes and Other Evidence of Indebtedness), designed to transfer ownership of the Other Assets from the Commission to the City; and

WHEREAS, neither the Cooperation Agreement nor the purported transfer of the Commission Properties and Other Assets (or any of the related documents and actions) were challenged within the applicable statute of limitations; and

WHEREAS, AB x1 26 ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the CRL and adding Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code; and

WHEREAS, AB 26 states, in part, that "[t]he Legislature hereby finds that a transfer of assets by a redevelopment agency [after January 1, 2011] is deemed not to be in the furtherance of the [CRL] and is thereby unauthorized."; and

WHEREAS, AB 26 further states, in part, that "[c]ommencing [February 1, 2012], … arrangements between the city … that created the redevelopment agency and the redevelopment agency are invalid…"; and

WHEREAS, AB 26 further states, in part, that "[a]ll assets, properties [and] buildings … of the former redevelopment agency are transferred on [February 1, 2012], to the control of the successor agency"; and

WHEREAS, on or about April 20, 2012, the California State Controller issued correspondence stating, in part, that "[i]f your city … received any assets from a redevelopment agency after January 1, 2011, your city … hereby is ordered to … reverse the transfer and return the applicable assets to the successor agency of the relevant redevelopment agency."; and

WHEREAS, AB 1484 ("**AB 1484**") was signed by the Governor of California on June 27, 2012, making changes to AB 26 and certain additional changes to the CRL; and

WHEREAS, AB 1484, at California Health and Safety Code Section 34179.5(c)(2), categorizes certain assets as those "transferred after January 1, 2011 … by the redevelopment agency … to the city … that formed the redevelopment agency…" ("**Section 34179.5(c)(2) Assets**"); and

WHEREAS, AB 1484, at California Health and Safety Code Section 34179.5(c)(1), categorizes certain other assets as those "transferred from the former redevelopment agency to the successor agency on or about February 1, 2012." ("**Section 34179.5(c)(1) Assets**"); and

WHEREAS, because (i) AB 26 states that a transfer of assets by a redevelopment agency after January 1, 2011 was "unauthorized", (ii) AB 26 further states that commencing February 1, 2012, arrangements between a redevelopment agency and the city that created it are "invalid" and (iii) the State Controller has purported to order that ownership of certain assets be vested in successor agencies, the Commission Properties and Other Assets are therefore <u>not</u> categorized as Section 34179.5(c)(2) Assets; and

WHEREAS, because AB 26 states that all assets, properties and buildings of the former redevelopment agency are transferred on February 1, 2012 to the control of the successor agency, the Commission Properties and Other Assets are therefore categorized as Section 34179.5(c)(1) Assets; and

WHEREAS, the Successor Agency does not acknowledge that the purported transfer of the Commission Properties and Other Assets by the Commission to the City was not in furtherance of the CRL; and

WHEREAS, the Successor Agency does not acknowledge the effectiveness of the Legislature's purported deeming not to be in furtherance of the CRL the purported transfer of assets that was conducted in accordance with the CRL at the time when made and was not challenged within the applicable statute of limitations; and

WHEREAS, the Successor Agency does not acknowledge that commencing February 1, 2012, arrangements between the redevelopment agency and the city that created it are invalid; and

WHEREAS, the Successor Agency does not acknowledge the effectiveness of the California State Controller's order to reverse the transfer of the Commission Properties and Other Assets and return the applicable assets to the Successor Agency; and

WHEREAS, the Successor Agency has limited financial resources and desires not to initiate litigation at this time with regard to AB 26, AB 1484 and/or the purported order by the California State Controller that ownership of the Commission Properties and Other Assets be vested in the Successor Agency; and

WHEREAS, in order to avoid the costs of litigation and other costs, the Successor Agency desires to take action in a manner consistent with AB 26, AB 1484 and the California State Controller's purported order, and in furtherance of its duties under California Health and Safety Code Sections 34179.6(h)(1) and 34179.6(f), by processing documentation reflecting its ownership of the Commission Properties and Other Assets, without acknowledging the effectiveness of AB 26, AB 1484 and/or such order and duties, expressly disclaiming the same; and

WHEREAS, the Successor Agency's processing of documentation reflecting its ownership of the Commission Properties and Other Assets is not intended to waive, and shall not constitute a waiver, by the Successor Agency of any constitutional, legal or equitable rights that the Successor Agency may have to challenge, through administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of AB 26 or AB 1484, any determinations rendered or actions or omissions to act by any public agency or government entity or division in the implementation of AB 26 and AB 1484, and any and all related legal and factual issues, and the Successor Agency expressly reserves any and all rights, privileges, and defenses available under law and equity; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "**Guidelines**"), and the City's environmental guidelines; and

WHEREAS, per Section 15301 of the State CEQA Guidelines, the transfer of real property and/or other assets is exempt from environmental review under CEQA because the transfer will result in a continuation of an existing facility involving no expansion of use and is therefore exempt from environmental review, and any future development of the real property or assets will require separate environmental review; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Governing Board of the Oxnard Community Development Commission Successor Agency, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

Section 2. The Governing Board of the Successor Agency hereby authorizes the processing of documentation confirming its ownership of the Commission Properties and Other Assets, including the execution of certificates of acceptance and other appropriate instruments.

Section 3. The Executive Director, or designee, is hereby authorized to take such actions and execute such documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.

Section 4. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the Governing Board of the Oxnard Community Development Commission Successor Agency at its meeting held on the 25th day of September, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____
Dr. Thomas E. Holden, Chairperson

ATTEST:

____
Daniel Martinez, Secretary

APPROVED AS TO FORM:

____
Alan Holmberg, Successor Agency Counsel

Exhibit A

List of the Commission Properties and Other Assets

[behind this page]

PROPERTIES HELD FOR RESALE

Project Area	Parcel No.	Current or Former Use	Purchase Date	Land Area (Sq.Ft.)	Valuation Method	Estimated Value
CCRP	201016007	Parking Lot	1984	650	Trend Analysis	$ 12,352
CCRP	201016009	Parking Lot	1984	4,059	Trend Analysis	$ 77,127
CCRP	201016012	Parking Lot	1981	6,447	Trend Analysis	$ 122,497
CCRP	201016013	Parking Lot	1981	7,145	Trend Analysis	$ 135,757
CCRP	201021104	Parking Lot	1984	3,250	Trend Analysis	$ 61,752
CCRP	201021112	Parking Lot	1986	4,782	Trend Analysis	$ 90,862
CCRP	201021136	Parking Lot	1985	4,288	Trend Analysis	$ 81,478
CCRP	201021310	Vacant Parcel	1990	5,628	Trend Analysis	$ 106,923
CCRP	201021313	Vacant Parcel	1986	4,513	Trend Analysis	$ 85,751
CCRP	201021314	Vacant Parcel	1990	1,825	Trend Analysis	$ 34,673
CCRP	201027202	Parcel Behind "El Parian" Restaurant	1988	4,299	Trend Analysis	$ 81,690
CCRP	201027203	Parcel Behind "El Parian" Restaurant	1986	4,299	Trend Analysis	$ 81,688
CCRP	201027217	Parcel Behind "Capri Inn"	1986	7,404	Trend Analysis	$ 140,683
CCRP	201027220	Vacant Parcel Next to "Taqueria Mi Tierra"	1989	2,465	Trend Analysis	$ 46,829
CCRP	202010120	Parking Lot	1969	2,544	Trend Analysis	$ 48,344
CCRP	202010122	Parking Lot	1969	422	Trend Analysis	$ 8,024
CCRP	202010136	Parking Lot	Not Available	296	Trend Analysis	$ 5,625
CCRP	202010140	Parking Lot Behind Real Estate	1972	1,299	Trend Analysis	$ 24,672
CCRP	202010141	Social Security Building	2008	14,560	Assessed Value	$ 1,430,761
CCRP	202010143	Parcel Next to Alt Action Program	1973	855	Trend Analysis	$ 16,252
CCRP	202010311	Parking Lot	Not Available	1,846	Trend Analysis	$ 35,065
CCRP	202010313	Elizabeth's Furniture (Former Use)	2010	2,611	Assessed Value	$ 280,000
CCRP	202010317	Parking Lot Across Plaza Park	1969	96	Trend Analysis	$ 1,820
CCRP	202010321	Plaza Laundromat (Former Use)	2010	4,224	Assessed Value	$ 218,808
CCRP	202010322	Parking Lot	1973	1,251	Trend Analysis	$ 23,763
CCRP	202010323	Parking Lot	1972	2,509	Trend Analysis	$ 47,675
CCRP	202010512	Parking Lot South of 4Square Church	1981	3,510	Trend Analysis	$ 66,685
CCRP	202010517	Parking Lot South of 4Square Church	Not Available	1,784	Trend Analysis	$ 33,903
CCRP	202010519	Parking Lot South of 4Square Church	1968	297	Trend Analysis	$ 5,639
CCRP	202010521	Parking Lot South of 4Square Church	1969	306	Trend Analysis	$ 5,816
CCRP	202010523	Parking Lot South of 4Square Church	1969	900	Trend Analysis	$ 17,107
CCRP	202010526	Alley Next to 4Square Church	1973	1,193	Trend Analysis	$ 22,676
CCRP	202010530	Breezeway Next to Barroccos	1969	3,436	Trend Analysis	$ 65,288
CCRP	202010626	Parking Lot Across from Ruby's	1969	1,073	Trend Analysis	$ 20,390
CCRP	202010628	Parking Lot Across from Ruby's	1972	1,207	Trend Analysis	$ 22,931
CCRP	202010632	Parking Lot Next to Oxnard Drugstore	Not Available	3,152	Trend Analysis	$ 59,889
CCRP	202010719	Parking Lot East of A/C Formal Wear	1970	2,786	Trend Analysis	$ 52,928
CCRP	202010721	Parking Lot North of Rancho Furniture	1969	600	Trend Analysis	$ 11,400
CCRP	202018314	Old Mexico Building (Former Use)	2005	3,491	Trend Analysis	$ 66,337
CCRP	202014422	Heritage Square	Not Available	516	Trend Analysis	$ 45,393
CCRP	202014424	Heritage Square	1991	505	Trend Analysis	$ 44,421
CCRP	202014427	Heritage Square	Not Available	2,559	Trend Analysis	$ 225,188
CCRP	202014428	Heritage Square	Not Available	2,435	Trend Analysis	$ 214,290
Downtown	201016001	Transportation Center	1987	10,143	Trend Analysis	$ 192,709
Downtown	201016002	Transportation Center	1985	8,855	Trend Analysis	$ 168,253
Downtown	201017054	Transportation Center	1986	100,122	Trend Analysis	$ 820,997
Downtown	201021130	Transportation Center	1984	9,761	Trend Analysis	$ 185,467
Downtown	202009415	Alley Access/Third St Parking Structure	1971	605	Trend Analysis	$ 11,503
Downtown	202009418	Alley Access/Third St Parking Structure	1970	1,201	Trend Analysis	$ 22,813
Downtown	202009420	Alley Access/Third St Parking Structure	1968	1,201	Trend Analysis	$ 22,827
Downtown	202009422	Alley Access/Third St Parking Structure	1968	1,191	Trend Analysis	$ 22,623
Ormond Beach	231092230	Ormond Beach	Not Available	568,894	See Note Below	$ 568,894
				CCRP		$ 4,281,150
				Downtown		$ 1,447,193
				Ormond Beach		$ 568,894
				GRAND TOTAL		$ 6,297,237

NOTES:

1. Estimated values are current as of December 2010.
2. Ormond Beach value is based on Assessed for immediately adjacent and similar properties as of the date of sale in 2005.

COMMISSION ASSETS

		Central City Revitalization Project Fund		Downtown Renewal Project Fund		Southwinds Redevelopment Project Fund		Ormond Beach Redevelopment Project Fund
Assets								
Cash and cash equivalents	$	5,642,317	$	384,097	$	3,241,163	$	2,968,135
Investments with fiscal agents		953,487		-		378,752		3,903,211
Accounts and other receivables		277,408		-		-		-
Notes receivable		908,198		1,662,175		17,873		-
Properties held for resales		5,643,259		127,200		-		305,500
Total assets	$	13,424,669	$	2,173,472	$	3,637,788	$	7,176,846
Liabilities and fund balances								
Liabilities:								
Accounts payable	$	253,956	$	-	$	97,940	$	15,943
Other liabilities		56,395		-		-		-
Due to other Governments		497,850		56,648		592,798		288,653
Due to City of Oxnard		2,000,000		-		-		-
Total liabilities	$	2,808,201	$	56,648	$	690,738	$	304,596
Fund balances:								
Reserved for:								
Debt service	$	-	$	-	$	197,025	$	344,397
Notes receivable		908,198		1,662,175		17,873		-
Properties held for resale		5,643,259		127,200		-		305,500
Unreserved		4,065,011		327,449		2,732,152		6,222,353
Total fund balance		10,616,468		2,116,824		2,947,050		6,872,250
Total liabilities and fund balances	$	13,424,669	$	2,173,472	$	3,637,788	$	7,176,846

Attachment #2
Exhibit A
Page 8 of 26

H.E.R.O. Redevelopment Project Fund	Housing Set-Aside Fund	Debt Service Fund	Total Governmental Funds	
				Assets
$ 15,404,270 $	13,607,684 $	- $	41,247,666	Cash and cash equivalents
11,232,093	-	-	16,467,543	Investments with fiscal agents
-	6,140	-	283,548	Accounts and other receivables
-	2,700,000	-	5,288,246	Notes receivable
-	-	-	6,075,959	Properties held for resales
$ 26,636,363 $	16,313,824 $	- $	69,362,962	Total assets
				Liabilities and fund balances
				Liabilities:
$ 3,163,976 $	30,903 $	- $	3,562,718	Accounts payable
-	27,101	-	83,496	Other liabilities
1,905,329	-	-	3,341,278	Due to other Governments
-	-	-	2,000,000	Due to City of Oxnard
$ 5,069,305 $	58,004 $	- $	8,987,492	Total liabilities
				Fund balances:
				Reserved for:
$ 1,647,809 $	- $	- $	2,189,231	Debt service
-	2,700,000	-	5,288,246	Notes receivable
-	-	-	6,075,959	Properties held for resale
19,919,249	13,555,820	-	46,822,034	Unreserved
21,567,058	16,255,820	-	60,375,470	Total fund balance
$ 26,636,363 $	16,313,824 $	- $	69,362,962	Total liabilities and fund balances

EXPENDITURE CATEGORIES

	Central City Revitalization Project Area	Consolidated Low and Moderate Income Housing Funds	Downtown Project Area	Historic Enhancement and Revitalization of Oxnard	Ormond Beach Project Area
Expenditures					
Administrative Costs	$1,509,816	$729,011	$919,405	$3,958,657	$1,310,055
Professional Services	333,969	46,787	23,222	89,214	67,344
Planning, Survey, and Design	–	–	–	–	–
Real Estate Purchases	–	–	–	–	–
Acquisition Expense	–	–	–	–	–
Operation of Acquired Property	–	–	–	–	–
Reloaction Costs/Payments	–	–	–	–	–
Site Clearance Costs	–	–	–	–	–
Project Improvement/Construction Costs	310,540	87,311	–	9,638,477	1,471,671
Disposal Costs	–	–	–	–	–
Loss on Disposition of Land Held for Resale	–	–	–	–	–
Decline in Value of Land Held for Resale	–	–	–	–	–
Rehabilitation Costs/Grants	–	–	–	–	–
Interest Expense	702,399	–	–	848,459	197,035
Fixed Asset Acquisitions	–	–	–	–	–
Subsidies to Low and Moderate Income Housing	–	–	–	–	–
Debt Issuance Costs	–	–	–	–	–
Other Expenditures	–	–	–	–	–
Debt Principal Payments					
Tax Allocation Bonds	665,000	–	–	220,000	120,000
Revenue Bonds	–	–	–	–	–
City/County Loans	–	–	–	–	–
Other Long-Term Debt	–	–	–	–	–
Total Expenditures	$3,521,724	$863,109	$942,627	$14,754,807	$3,166,105

	Southwinds Project Area	Agency Total
Expenditures		
Administrative Costs	$1,075,443	$9,502,387
Professional Services	27,303	587,839
Planning, Survey, and Design	–	–
Real Estate Purchases	–	–
Acquisition Expense	–	–
Operation of Acquired Property	–	–
Reloaction Costs/Payments	–	–
Site Clearance Costs	–	–
Project Improvement/Construction Costs	2,115,573	13,623,572
Disposal Costs	–	–
Loss on Disposition of Land Held for Resale	–	–
Decline in Value of Land Held for Resale	–	–
Rehabilitation Costs/Grants	–	–
Interest Expense	112,434	1,860,327
Fixed Asset Acquisitions	–	–
Subsidies to Low and Moderate Income Housing	–	–
Debt Issuance Costs	–	–
Other Expenditures	–	–
Debt Principal Payments		
Tax Allocation Bonds	70,000	1,075,000
Revenue Bonds	–	–
City/County Loans	–	–
Other Long-Term Debt	–	–
Total Expenditures	$3,400,753	$26,649,125

SOURCE: *Community Redevelopment Agencies Annual Report for the Fiscal Year Ending June 30, 2009* (Table 4 – Statement of Revenues and Expenditures – Fiscal Year 2008-09), State Controller's Office, December 31, 2010.

NOTES: This Exhibit C is provided to show expenditure categories allowed by California Community Redevelopment Law and recognized by the State Controller. This Exhibit is not intended to reflect or otherwise fix the amount of expenditures that may accrue to each Project Area under the Cooperation Agreement. Such costs are expected to vary between Project Areas and expenditure categories from year to year.

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
PILOT FEES					
Steadfast Holiday Manor, LP	12/1/2001	NA	$1,120,000	4/1/2021	1924 Camino del Sol
PILOT Fees for Holiday Manor Project				PILOT Fees - 252 FM Units re-habbed	
Sycamore Senior Village Apts., LP PILOT Fees for Sycamore Sr. Apts.	12/1/2008	NA	$2,226,000	4/1/2028	333 N. F St.
NEW HOUSING CONSTRUCTION AND SUBSTANTIAL REHAB					
Casa Merced	11/12/1996	A-5297	$720,846	50 yrs @ 0% but 10% if defaulted	838-840 W. Fifth St.
Casa San Juan	9/12/1995	A-5229	$578,000	3% simple interest due annually in March	540 Hobson Wy.
Habitat for Humanity	7/28/2009	A-7202	$300,000 LAIF+1%	Forgiven at completion of project; Maureen checked with Steve Newman 3/9/11	5208 Cypress Rd.
Habitat for Humanity	9/25/2007	A-6940	$760,000 6% if defaulted	Forgivable if all units conveyed to VL&L buyers by 09/25/09; Maureen checked w/Steve Newman 3/9/11	5230 Cypress Rd.
Hacienda Guadalupe	10/18/2005	A-6512	$250,000 LAIF+1%	Used for projects costs then made available to CEDC for down pmt assistance to eligible buyers	126 E. Seventh St.
Heritage Walk			$790,000	4 silent seconds; balance permit cost reimburmt.	NWC A & Seventh Sts.
HOME Corp.	3/20/2007	A-3773/A-6855	$340,000 LAIF+3%	Amended/ extended to 6/30/10	131 E. Seventh St.
Meadowcrest Villas		A-6513	$320,000	Homebuyer Assistance	Oxnard Blvd/Robert
Meta Street Apartments			$95,000 4%	Pay back from residual receipts principal est beginning Year 24, interest pmts beginning Year 1 per 12/17/01 Cash Flow projection	501 Meta St.
Oxnard Village (Wagon Wheel)					
Villa Cesar Chavez	4/1/2004	PN & Dtrust		Housing Auth. is main project manager CDC contributed $400,000	Off Hueneme Rd.
	4/1/2004	NCR Loan (Performance Loan?)	$286,000		
	6/13/2000	"City Grant"	$400,000		
	6/13/2000	City Construction Loan	$460,000		

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
PILOT FEES					
	4/15/2003	PN & Deed of Trust & Reg. Agmt. Amend.			
	4/9/2004	Modified by an Assign. Assum. Mod. Agmt.			
	3/7/2006	*City Permanent Loan PN & DT	$400,000 LAIF+4%		
	5/22/2006	Subord. Agmt.			
	3/7/2006	A-6208 amend. To PN of 4/15/03	$460,000		
	3/14/2006	Release & Termination of Reg. Agmt. For A-6208			
		Performance Loan	$286,000		
	6/13/2000	Reg. Agmt. & Declaration of Rest. Covenants			
	5/13/2006	*CDC pd. D448241 CDC's share of loan	$200,000		
Villa Madera			$207,900	441 Fund Loan to City, to be repaid by City upon receipt of addt'l Housing In-Lieu funds 6 mo's interest fee. Pd back? $300,000 loan?	1111 N. Oxnard Blvd.
HERITAGE SQUARE					
Heritage Square Summer Concerts					
Heritage Square Facilities Rental Progam					
Hector Alvarez					230 W. Seventh St.
COMMERCIAL DEVELOPMENT					
Guadalupe Martinez					350 S. Oxnard Blvd.
LEASES					
Southern California Gas Co.	1/1/2009	A-7078 LEASE	$10,000	10/31/2011	425 S. B St.
Social Security Administration	9/25/2008	A-7111 LEASE	$62,003.80	10/31/2011	327 N. Fifth St.
Rosa M. Barragan	12/22/1994	3653-05-CD LEASE	$241.00	Month-to-mo.	720 S. B St.
La Dolce Vita di Mare	4/1/2008	A-7056 LEASE	$37,832.30 plus Catering Events Additional rent	4/1/2012	740 S. B St
Villa Solimar					

Date of Approval	Project	Address	Project	Income	Assistance Source		Amount	Term (Years)	
08/27/99	Salas, Estanislao	2051 San Jose Street	SF Repair	l	CDC	$	43,425.00	Deferred	Until Title Changes
08/27/99	Valencia, Adolfo	238 McMillan Avenue	SF Repair	l	CDC	$	55,000.00	Deferred	Until Title Changes
07/17/00	Valencia, Adolfo	238 McMillan Avenue	SF Repair	l	CDC	$	3,269.00	Deferred	Until Title Changes
11/01/00	Macias, Felipe	136 Thomas Avenue	HERO SF Repair	L	CDC	$	65,142.00	Deferred	Until Title Changes
12/13/00	Aroyo, Miguel	1301 Commercial Avenue 33	MH Replacement Loan	VL	CDC	$	48,600.00	Deferred	Until Title Changes
06/19/01	Macias, Felipe	136 Thomas Avenue	HERO SF Repair	L	CDC	$	7,057.50	Deferred	Until Title Changes
10/3/2001	Siqueriros, Evangelina	1301 Commercial #46	MH Replacement Loan	l	CDC	$	40,500.00	Deferred	Until Title Changes
03/03/02	Moran, Salvador	200 Campbell Way	Sw Homebuyer	L	CDC	$	30,000.00	Deferred	Until Title Changes
04/19/02	Rojas, Angel	234 W. Wooley Road	SF Repair	L	CDC	$	2,390.06	Deferred	Until Title Changes
08/21/02	Lara, Ramiro	814 Trinidad	HERO - Repair Deferred Loan	VL	CDC	$	20,000.00	Deferred	Until Title Changes
10/16/02	Garcia, Jose and Martha	1301 Commercial #24	MH Replacement Loan	VL	CDC	$	40,500.00	Deferred	Until Title Changes
10/16/02	Ledesma, Herminia	1301 Commercial #109	MH Replacement Loan	VL	CDC	$	23,850.00	Deferred	Until Title Changes
10/16/02	Magdaleno, Ernique	1301 Commercial #108	MH Replacement Loan	VL	CDC	$	23,850.00	Deferred	Until Title Changes
10/16/02	Quintero, Mercedes	250 E. PV #17	MH Replacement Loan	VL	CDC	$	31,800.00	Deferred	Until Title Changes
12/11/02	Flores, Santana	5329-5331 Cypress Road	HERO - Repair Deferred Loan	VL	CDC	$	40,000.00	Deferred	Until Title Changes
02/12/03	Carbajal, Rosa	101 Cordova Street	HERO - Repair Deferred Loan	VL	CDC	$	70,497.50	Deferred	Until Title Changes
09/12/03	Burciaga, jesusita	220 Clark Court	Southwinds Repair	l	CDC	$	10,000.00	10	
10/22/03	Rios, Jose	1301 Commercial #132	MH Replacement Loan	VL	CDC	$	43,634.00	Deferred	Until Title Changes
11/18/03	Rojas, Angel	234 W. Wooley Road	SF Repair	L	CDC	$	13,882.00	Deferred	Until Title Changes
01/14/04	Zamora, Martha	250 E. Pleasant V #29	MH Replacement Loan	VL	CDC	$	31,217.00	Deferred	Until Title Changes
02/17/04	Campa, Felipe	1301 Commercial #114	MH Replacement Loan	L	CDC	$	28,590.00	Deferred	Until Title Changes
02/18/04	Garcia, Silvia	1301 Commercial #97	MH Replacement Loan	VL	CDC	$	7,864.90	Deferred	Until Title Changes
02/18/04	Reyes, Angelina	1301 Commercial #111	MH Replacement Loan	L	CDC	$	10,637.50	Deferred	Until Title Changes
06/23/04	Garcia, Nellie	221 Vegas Drive	HERO Repair Deferred Loan	VL	CDC	$	60,000.00	Deferred	Until Title Changes
06/23/04	McNally, Gloria	168 Lark Street	HERO Repair Deferred Loan	VL	CDC	$	3,378.50	Deferred	Until Title Changes
06/24/04	Dennis Waldman	231 Cuesta Del Mar	SW - Repair Deferred Loan	L	CDC	$	40,000.00	Deferred	Until Title Changes
09/14/04	Jimenez, Antonio	5141-5146 Roland Way	Southwinds Repair	l	CDC	$	46,743.50	Deferred	Until Title Changes
09/15/05	Tapia, Cesar	1301 Commercial Avenue #5	MH Replacement Loan	VL	CDC	$	61,150.40	Deferred	Until Title Changes
06/22/06	Barajas, Jonas & Gladys	1120 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
06/22/06	Gallegos, Antonio & Rosa	1020 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Mora, Esperanza	1080 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Newton Barry & Michelle	1054 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Novoa, Hidania	1050 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Overtton, William & Crystal	1124 Ambrosia Street	Meadow Crest Homebuyer	L	CDC	$	40,000.00	20	
06/22/06	Rodriguez, Ruth & Pablo	1150 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
06/22/06	Ruiz, Fernando & Carmelita	1084 Ambrosia Street	Meadow Crest Homebuyer	M	CDC	$	40,000.00	20	
09/06/06	D'Orazio, Joanette	5341 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5355 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5401 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	D'Orazio, Joanette	5345 Perkins Road	SW - 50% Repair Grant	51% Low	CDC	$	1,557.75	5	
09/06/06	McKinnon, William	710 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	677.50	5	
09/06/06	McKinnon, William	720 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	677.50	5	
11/08/06	Juarez, Daniel	120 Carlisle Court	SW - 50% Repair Grant	L	CDC	$	10,000.00	5	
02/21/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	25,802.50	5	
02/21/07	Fernandez, Alberto	321 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	15,105.00	5	

Date of Approval	Project	Address	Project	Income	Assistance Source		Amount	Term (Years)	
02/21/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	3,275.00	5	
03/06/07	Crist, Berna	213 7th Street	Heritage Walk Homebuyer	L	CDC	$	97,000.00	45	
03/23/07	Contreras, Mauricia	653 A Street	Heritage Walk Homebuyer	VL	CDC	$	313,000.00	45	
03/23/07	Nantasenamat, Arkapol	659 A Street	Heritage Walk Homebuyer	M	CDC	$	87,000.00	45	
03/30/07	Dockery, William II	643 A Street	Heritage Walk Homebuyer	M	CDC	$	87,000.00	45	
04/17/07	Luna, Sergio & Patricia	112 James Avenue	HERO Repair Deferred Loan	VL	CDC	$	12,970.00	Deferred	Until Title Changes
04/18/07	Lunde, Bob	551 W. Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	11,197.50	5	
07/18/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	11,923.00	5	
07/18/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	12,679.00	5	
07/18/07	Lunde, Robert	5450 South J Street	SW - Security Repair Grant	51% Low	CDC	$	13,382.50	5	
07/18/07	McKinnon, William	710 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	19,054.40	5	
07/18/07	McKinnon, William	720 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	18,748.85	5	
09/14/07	Oxnard Housing Authority	640-666 Cuesta Del Mar	SW - Security Repair Grant	51% low	CDC	$	20,000.00	5	
10/03/07	McKinnon, William	710 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	6,355.00	5	
10/03/07	McKinnon, William	720 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	6,355.00	5	
10/03/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	2,500.00	5	
10/03/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	2,000.00	5	
10/03/07	Lunde, Robert	5450 South J Street	SW - Security Repair Grant	51% Low	CDC	$	2,000.00	5	
10/03/07	McKinnon, William	710 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	2,500.00	5	
10/03/07	McKinnon, William	720 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	2,500.00	5	
11/09/07	Cervantes, Erika	1301 Commercial Ave #79	MH Replacement Loan	VL	CDC	$	73,162.00	Deferred	Until Title Changes
11/09/07	Melgoza, Jesus	1301 Commercial Ave #52	MH Replacement Loan	L	CDC	$	69,885.00	Deferred	Until Title Changes
12/05/07	Lunde, Robert	711 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	6,190.00	5	
12/05/07	Lunde, Robert	721 Cuesta del Mar	SW - Security Repair Grant	51% Low	CDC	$	6,190.00	5	
01/09/08	Pinedo, Elvia	2110 Camino Del Sol	HERO Repair Deferred Loan	VL	CDC	**$**	**58,040.00**	Deferred	Until Title Changes
01/09/08	Fernandez, Alberto	321 Cuesta Del Mar	SW - 50% Repair Grant	51% Low	CDC	$	13,663.00	5	
02/05/08	Contreras, John	160 James Avenue	HERO Deferred Loan	VL	CDC	**$**	**44,595.00**	Deferred	Until Title Changes
04/09/08	Moss, Marlon	241 Chester Way	SW - 30% Repair Grant	51% Low	CDC	$	3,633.00	5	
04/09/08	Moss, Marlon	241 Clara Street	SW - 30% Repair Grant	51% Low	CDC	$	3,633.00	5	
08/05/08	Carrillo, Gilberto	311 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	15,903.75	5	
08/05/08	Carrillo, Gilberto	411 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	24,666.25	5	
08/05/08	Rodriguez, Dionisio	300 Cuesta Del Mar	SW - Security Repair Grant	51% Low	CDC	$	22,028.75	5	
09/10/08	Rocha, Maria	119 Gibraltar Street	HERO Repair Deferred Loan	L	CDC	$	18,000.00	Deferred	Until Title Changes
06/28/10	Magaña, Rosario	1301 Commercial Ave., Sp. #	MH Replacement Loan	VL	CDC	$	60,143.00	Deferred	Until Title Changes
07/01/10	Perez, Eloina	2171 Cloyne Street	HERO SF Repair	l	CDC	$	57,624.00	Deferred	Until Title Changes

Borrower	Origination Date	Loan Agreement No.	Amount Due	Due Date	Property Location
RIVERPARK					
Paseo Del Rio Associates, LP (CEDC)	08.22.07	A-5965	$2,700,00	08.28.67	Lot 19, Tract No.5352-1
Paseo Santa Clara Associates, LP (CEDC)	08.22.07	A-5965	$2,200,00	08.28.67	Lot 19, Tract No.5352-1
ED, LLC & KOH, LLC (ED 2, LLC & KOH 12-17,LLC) Aldersgate Investments, LLC	03.05.2010 08.16.2010	A-7204 A-7207 A-7208 A-7336	$1,350,000 $750,000	03.05.2013 08.16.2010	Lot No. 3, Tract No.5352-1 Lot 18, Tract No. 5352-1

[illegible]									
228 S. A St.	Luis Rechardo & Kimberly	Clark Bldg.			NA			OUTSIDE	N/A
300 S. A St.	Focil Medical	Focil Med	4519-08-CD	Agreement to Pay Architect	Payment #1	11/09/07	$ 2,879.60	INACTIVE	N/A
					Payment #2	08/05/08	$ 2,221.66	*no bids for signage rec'd*	
			4291-07-CD						
309 S. A St.	Dale & Patricia Givner	Givner Bldg.	4274-07-CD	??				COMPLETE	YES
			4446-08-CD	Approval of Paint Contractor	Payment #1	06/02/08	$ 6,012.00		
					Payment #2	06/02/08	$ 668.00		
			4446-08-CD	Agreement to Pay Painter					
			4447-08-CD	Promissory Note ($6,680) Sent to City Clerk	Payment #1/#2	03/09/09	$ 461.99		
					Payment #3	03/24/09	$ 230.55		
			4759-09-CD	Promissory Note ($691.64) Sent to City Clerk					
318 S. A St.	Elio Espino	Therapeutic Home Care(AP	4627-08-CD	Approval of Sign Vendor & PN *(same Agmt # used for both)*	Payment (lump sum)	12/09/08	$ 4,560.00	COMPLETE	YES
325 S. A St.	Osbaldo Lopez	Casa Lopez (AP)	4325-07-CD	Approval of Architectural Vendor				COMPLETE	No PN
			4370-08-CD	Approval of Sign Vendor	Payment #1	03/10/08	$ 3,333.00		
					Payment #2	08/05/08	$ 3,236.37		
					Payment #3	08/05/08	$ 3,236.36		
36[illegible] S. A St.	[illegible]	[illegible]	50[illegible]-CD	Approval sign vendor	Payment #1	[illegible]	[illegible]	ACTIVE	NR
			50[illegible]-CD	Approval sign vendor	Payment #2	[illegible]	$[illegible]		
			52[illegible]-CD	Paint vendor	Payment #2	[illegible]	$900.00		
363 S. A St.	Larry Graves & Anne Stoll	Stoll/Graves Bldg.	4961-09-CD	Approval of Paint Vendor	Payment #1		$ 3,973.05	ACTIVE	YES
			4961-09-CD	Approval of Paint Vendor	Payment #2	01/11/11	$ 4,855.95		
			4960-09-CD	Promissory Note ($8,829)					
			5016-10-CD	Approved Sign vendor	Payment #1	02/22/11	$390.33		
369 S. A St.	Dr. Bernard Rubin	Bernard Rubin OD [illegible]						WITHDRAWN Business Sold	N/A
363 S. A St.	Dr. Pazen	"A" Street Optometric Center, PC	5018-10-CD	Approval sign vendor	Payment #1	01/11/11	$1,006.93	ACTIVE	NR
			5018-10-Cd	Approval sign vendor	Payment #2	03/01/11	$1,936.66		
			5246-10-CD	Vendor approval for Paint	Payment #2	01/11/11	$900.00		

[redacted]

401 S. A St.	Magda Weydt	Fresh 'N Fabulous	5284-10-DS	Approval of Signs Pacific				ACTIVE	NR
420 & 422 S. A St.	Bijan Neiman	Domani Rugs (AP)	4275-07-CD	Approval of Sign Vendor	Payment #1	03/18/08	$ 3,333.00	COMPLETE	YES
					Payment #2	03/17/09	$ 3,333.50		
					Payment #3	03/24/09	$ 3,333.50		
			4750-09-CD	Promissory Note ($10,000) Sent to City Clerk					
428 S. A St.	Veronica Muñoz & Jose	BG's Café (AP)	4276-07-CD	Architectural					
			4721-09-CD	Sign	Payment #1	01/20/09	$ 2,700.00	COMPLETE	No PN
					Payment #2	04/28/09	$ 2,939.25		
					Payment #3	04/28/09	$ 2,939.25		
[redacted]									
455 S. A St.	Martin Ledesma	Sugar Beets	5213-10-CD	Approval of Sign Vendor	Payment #1	10/27/10	[redacted]	COMPLETE	[redacted]
			5213-10-CD	Approval of Sign Vendor	Payment #2	10/27/10	[redacted]		
			5213-10-CD	Approval of Sign Vendor	Payment #3	01/25/11	[redacted]		
			5190-10-CD	Promissory Note ($9,651.45)					
[redacted]									
539 S. A St.	Paulina Orozco	Madre Tierra	4716-09-CD	Agreement to Pay Sign Vendor	Payment #1	01/20/09	$ 1,940.40	COMPLETE	YES
					Payment #2	04/28/09	$ 1,940.40		
					Payment #3	04/28/09	$ 1,940.40		
			4851-09-CD	Promissory Note ($5,880) Sent to City Clerk					
544-550 S. A St.	Elio Espino	Master Sign Program	4926-09-CD	Sign Program	Payment #1	11/03/09	$ 500.00	COMPLETE	N/A
					Payment #2	03/02/10	$ 500.00		
550 S. A St.	Sylvia Lopez	Divine Hair Desgin	4715-09-CD	Approval of Sign vendor	Payment #1	04/21/09	$ 3,085.50	COMPLETE	YES
			5108-10-CD	Promissory Note ($4,180) Sent to City Clerk	Payment #2 Final	06/15/10	$ 1,094.50		
[redacted]									

608 S. A St.	Karen Baldonado	Otani Fish	5032-10-CD	Mural Painting	Payments #1	03/23/10	$ 2,953.33	ACTIVE?	
					Payment #2	03/23/10	$ 2,953.33		
658 S. A St.	Steve Choy & Eva Bravo	Play Billiards	4785-09-CD	Approval of Sign Vendor	Payment #1	05/19/09	$ 3,194.00	COMPLETE	YES
					Payment #2	07/06/10	$ 3,194.00		
					Payment #3	*11/17/10*	$3,292.00		
			4842-09-CD	Promissory Note ($9,880) Sent to City Clerk					
700-760 S. A St.	Charles Chuback (AP)		4324-07-CD	Approval of Architect	Payment #1	12/21/07	$ 3,272.50	COMPLETE	
					Payment #2	02/05/08	$ 708.72		
					Payment #3	05/13/08	$ 514.00		
					Payment #4	09/16/08	$ 600.00		
				Approval of Sign Vendor	Payment #1	04/15/08	$ 600.00		
			5069-10-CD	Approval of Constractor Vendor	Payment #1	05/04/10	$ 6,925.03		
					Payment #2	05/11/10	$ 6,972.80		
					Payment #3	08/17/10	$ 6,834.07		
			5288-10-CD	Promissory Note ($7,747.64)					YES
			5288-10-CD	Promissory Note ($12,984.36)					YES
741 S. A St.	Faye Hawes (AP)	Rancho Ventavo Cellars	4840-09-CD	Agmt Approval of sign vendor	Payments #1/#2/#3	07/07/09	$ 943.13	COMPLETE	YES
			4841-09-CD	Promissory Note ($943.13) Sent to City Clerk					
746 S. A St.	Marya Dolores Tovar	Pilar's Café	4718-09-CD	Sign	Payment #1	01/20/09	$ 1,640.90	COMPLETE	YES
					Payment #2	04/28/09	$ 1,640.90		
					Payment #3	04/28/09	$ 1,640.90		
			4874-09-CD	Promissory Note ($4,972.50) Sent to City Clerk					
361 S. B St.	Irene Cuevas (AP)	Irene's Beauty Salon	4715-09-CD	Sign *Agmt# 4720-09 voided*	Payment #1	01/20/09	$ 1,739.10	COMPLETE	YES
					Payment #2	04/28/09	$ 1,739.10		
					Payment #3	04/28/09	$ 1,739.10		
			5143-10-CD	Promissory Note (5217.30) Sent to City Clerk					
400 S. B St.	Western Coastal Dev, LLC (AP)	Swift Building	4397-08-CD	Agreement to pay Painter	Payment (lumpsum)		$ 9,800.00	COMPLETE	YES
			4279-07-CD	Promissory Note					

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
450 S. B St.	Ming Shoun Lin (AP)	China Square Restaurant	4812-09-CD	Approval of Sign Vendor	Payment #1	06/09/09	$ 3,300.00	COMPLETE	YES
					Payment #2	06/09/09	$ 3,300.00		
			4843-09-CD	Approval of Sign Vendor					
			4847-09-CD	Promissory Note ($10,000) Sent to City Clerk					
			4859-09-CD	Sign	Payment #1	02/02/10	$ 3,400.00		
[illegible] St.	Steven Coo	Simplicity	4719-09-CD	Sign	Payment #1	01/20/09	$ 3,220.80	BUSINESS CLOSED	NO PN
548 S. C St.	Patricia Moo	Patty's Perfect Fit	4985-10-CD	Approval of Vendor	Payment #1	02/09/10	$ 2,712.60	COMPLETE	NO PN
					Payment #2	04/27/10	$ 2,712.60		
					Payment #3	04/27/10	$ 2,794.80		
552 S. C St.	Maria Elena Alvarado	Professional Cut	4717-09-CD	Agmt to Pay Sign Vendor	Payment #1	01/20/09	$ 1,504.80	COMPLETE	YES
					Payment #2	08/25/09	$ 1,504.80		
					Payment #3	08/25/09	$ 1,550.40		
			4883-09-CD	Promissory Note ($4,560) Sent to City Clerk					
560 S. C St.	Maria R. Alcantar	Dreams & Illusions Bridal	4788-09-CD	Approval of Sign Vendor	Payment #1	04/28/09	$ 2,401.40	COMPLETE	YES
					Payment #2	08/25/09	$ 2,401.40		
					Payment #3	08/25/09	$ 2,474.20		
			4852-09-CD	Promissory Note ($7,277) Sent to City Clerk					
220 W. Third St.	Leobigilda Avendano	Salon Alta Moda	4332-07-CD	Agreement to pay Sign Vendor	Payment #1	01/08/08	$ 3,333.00	COMPLETE	YES
					Payment #2	03/18/08	$ 3,333.00		
					Payment #3	07/22/08	$ 3,334.00		
			4448-08-CD	Promissory Note (10,000) Sent to City Clerk					
215 W. Fourth St.	Jacquline DeGante	DeGante's Work Uniforms	496[illegible]-09-CD	Paint	Payment #1	02/02/10	$ [illegible]	ACTIVE	NR
			5019-10-CD	Vendor approval for sign	Payment #1	[illegible]	$614.26		
			5019-10-CD	Vendor approval for sign	Payment #2	[illegible]	$1,28[illegible]		
			5249-10-CD	Paint vendor	Payment #2	[illegible]	$900.00		
221 W. Fourth St.	Ana Rivera	Anita's Salon of Beauty	5020-10-CD	Vendor approval for sign	Payment #1	01/11/11	$614.26	ACTIVE	NR
			5020-10-CD	Vendor approval for sign	Payment #2	03/01/11	$650.00		
			5248-10-CD	Paint vendor	Payment #2	01/11/11	$900.00		

[illegible] FACADE PROGRAM

156 W. Fifth St.	Patricia Behrens & David	Special Occasions Mall	4281-07-CD	Architectural	Payment #1	10/30/07	$ 5,000.00	COMPLETE	YES
			4524-08-CD	Promissory Note $10,000					
			4507-08-CD	Paint	Payment #1	07/22/08	$ 4,140.00		
					Payment #2	07/22/08	$ 4,140.00		
200 W. Fifth St.	Mark Shipp	Ogilvy-Hill Insurance	4859-09-CD	Approval of Sign Vendor	Payment #1	07/21/09	$ 3,286.00	COMPLETE	YES
					Payment #2	12/01/09	$ 3,288.00		
			4846-09-CD	Promissory Note ($10,000) Sent to City Clerk					
338-344 W. Fifth St.	Richard Deverick	Folcke Building	5015-10-CD	Sign Program	Payment #1	08/25/10	$ 500.00	ACTIVE	N/A
			5015-10-CD	Sign Program	Payment #2&3	01/25/11	$ 500.00		
333 W. Sixth St.	Goodwill Industries of Ventura & Santa Barbara	Goodwill Industies	4786-09-CD	Approval of Sign Vendor	Payment #1	04/28/09	$ 1,343.30	COMPLETE	YES
					Payment #2	11/03/09	$ 1,578.00		
					Payment #3	02/02/10	$ 1,874.00		
			4839-09-CD	Promissory Note ($4,030)					
			4901-09-CD	Paint	Payment #1	10/12/09	$ 1,803.33		
					Payment #2	11/09/09	$ 1,803.33		
					Payment #3	01/13/10	$ 1,435.00		
					Payment #4	01/13/10	$ 1,808.33		
701 S. Oxnard Blvd.	Eric Ng	Golden Chicken Inn	4682-08-CD	Architectural	*n/a*	n/a	n/a	ACTIVE	
			5353-11-DS	Coastal Architects	*Payment #1*	02/23/11	$1,000.00		
348-350 S. Oxnard Blvd	Guadalupe Martinez (AP)	Rudy's Cafe	4326-08-CD	Approval of Sign Vendor & PN (Same Agmt # used for both)	PN (10,000?)		$ 6,527.90	COMPLETE	YES
532 S. Oxnard Blvd	Robert Wademan (AP)	Empty Building (Pawnshop)	4858-09-CD	Agmt Approval of architect	Payment #1	12/01/09	$ 3,260.00	INACTIVE	N/A
					Payment #1	12/01/09	$ 942.50		
601 S. Oxnard Blvd.	Raul Orozco (Efren Chavez, past owner)	El Dorado (El Coyote Inc., past name)	4863-09-CD	Approval of Sign Vendor	Payment #1	07/28/09	$ 3,288.12	ACTIVE	YES
			ownership & name change complete?		?				
			5209-10-CD	Promissory Note ($6,711.88)					
626 S. Oxnard Blvd.	Paul Sangster	El Teatro Theatre	4282-07-CD	Architectural	Payment #1	12/22/08	$ 1,799.25	ACTIVE	?
					Payment #2	02/03/09	$ 3,200.75		
			4683-08-CD	Johnson & Muller					
			4944-09-CD	Color Consultant	Payment #1	12/01/09	$ 500.00		
			applicant has expressed reservation w/ Deed & has not moved past design stage - soda blasting, paint etc approved						

637 S. Oxnard Blvd.	Raquel Negrete (AP)	Cielito Lindo Restaurant	5258-10-DS	Approval for sign vendor	Payment # 1	[illegible]1/28/10	$3,261.68	ACTIVE	NR
705 S. Oxnard Blvd.	Moises Perez (AP)	Next Generation Computer	4890-09-CD	Approval of Sign Vendor	Payment #1	09/29/09	$ 2,350.00	Complete	YES
			4927-09-CD	Promissory Note #1 ($705.80)					
			5000-10-CD	Approval of Contractor					
			5001-10-CD	Promissory Note #2 ($617.426)					
			5335-11-DS	Approval for sign vendor for 1st part of agreement #4927-09-CD	Payment #2	02/02/11	$7,540.40	electronic deposit	
730 S. Oxnard Blvd.	Angela Soo Hoo	Soo Hoo Building	4283-07-CD	Approval of Architect	no pmt found			ACTIVE	
			5215-10-DS	Promissory Note #1 ($10,000)					YES
			5216-10-DS	Promissory Note #2 ($42,626.44)					YES
			5240-10-DS	Approval of Contractor	Payment #1	10/23/10	$24,054.55		
749 S. Oxnard Blvd.	Jacqueline Jinju Lee	Oxnard Medical Supply	4787-09-CD	Approval of Sign Vendor	Payment #1	04/28/09	$ 3,310.00	COMPLETE	YES
					Payment #2	11/03/09	$ 3,310.00		
					Payment #3	03/02/10	$ 3,312.00		
			4969-10-CD	Promissory Note (?) Sent to City Clerk					

Attachment #2
Exhibit A
Page 21 of 26

Property Location	Applicant	Business	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]
128-140 N. A St. Sign Program	Puri Living Trust	Puri Dentistry, Allstate, Magnifico Hair, Chispin Sign	4941-09-CD	Building design program	Payment #1	12/01/09	$ 475.00	ACTIVE	NO
					Payment #2	03/02/10	$ 315.00		
					Payment #3	04/13/10	$ 90.00		
			5183-10-CD	Promissory Note	Payment #1	pending			
128 N. A St.	Daisy Hernandez	Digital Studio	5279-10-CD	Sunbilla Awning sign	Payment #1	02/23/11	$779.82	**ACTIVE**	**NO**
130 N. A St.	Oscar Salazar	Imperial Group		Sunbilla Awning sign	Payment #1	02/23/11	$577.93	**ACTIVE**	**NO**
132 N. A St.	Fancisco Reyes	Chispin Signs and		Sunbilla Awning Sign	Payment #1	02/23/11	$690.82	ACTIVE	NO
134 N. A St.	Socorro Cerda	Magnifico Hair Design	5273-10-CD	Sunbilla Awning sign	Payment #1	02/23/11	$716.95	**ACTIVE**	**NO**
136 N. A St.	Hipolito Marinez	Allstate	5271-10-CD	Sign vendor	Payment #1	02/22/11	$716.95	ACTIVE	NO
140 N. A St.	Puri Dentistry	Puri Dentistry	5269-10-CD	Sunbilla Awning sign	Payment #1	pending			**NO**
416 N. A St.	ARC of Ventura County, Inc.	The ARC of VC Admin Ofcs	5167-10-CD	Promissory Note ($9,155.61)				**COMPLETE**	**YES**
			5106-10-CD	Approval of Sign Vendor	Payment #1	04/13/10	$ 1,853.52		
					Payment #2	08/17/10	$ 1,853.52		
					Payment #3	11/10/10	$1,853.52		
			5166-10-CD	Approval of Awnings Vendor	Payment #1	09/14/10	$ 1,797.53		
					Payment #2	09/28/10	$ 1,797.53		
134 S. A St.	Guadalupe Rios	Estetica Hair Salon	5192-10-CD	Promissory Note ($7,888.50)				**COMPLETE**	**YES**
			5193-10-CD	Approval of Sign Vendor	Payment #1	08/31/10	$ 2,654.50		
					Payment #2	08/31/10	$ 2,654.50		
					Payment #3	10/05/10	$ 2,654.50		
521-527 S. C St.	Heliodoro Avalos	Avalos Building	5131-10-CD	Approval of Architect	Payment #1	07/13/10	$ 2,500.00	ACTIVE	NO
					Payment #2	09/04/10	$ 892.00		
					Payment #3	10/19/10	$ 1,668.00		

[illegible]

Property Location	[illegible]	Business	Number	Agreement Document	[illegible]	Date	[illegible]	[illegible]	[illegible]
				Sign Program	Payment #1	07/13/10	$ 497.50		
				Sign Program	Payment #2	07/13/10	$ 497.50		
521 S. C St.	Balvinder Singh Gill	Circle 9						ACTIVE	NO
523 S. C St.	Melody Montoya	Amigos Travel						ACTIVE	NO
527 S. C St.	Ana M. Almaguer	Paradise Flowers and more						ACTIVE	NO
425 N. Oxnard Blvd.	Astolfo Gutierrez	Al's Income Tax Melissa's Insurance & La Colonial Bakery						ACTIVE	NO
477 N. Oxnard Blvd.	William/Brian Henggeler	Dominick's Italian Restaurant	5286-10-DS	Architectural Services	Payment #1	12/15/10	$1,000.00	ACTIVE	NO
			5286-10-DS	Architectural Services	Payment #2	01/25/11	$1,220.00		
			5286-10-DS	Architectural Services	Payment #3	02/08/11	$2,161.26		
625 N. Oxnard Blvd.	The ARC Foundation of ARC Thrift Store		5178-10-CD	Approval of Anti-	Payment #1	09/28/10	$ 762.00	COMPLETE	
					Payment #2	11/17/10	$ 762.00		
			5188-10-CD	Approval of Paint Vendor	Payment #1	09/29/10	$ 2,112.50		
					Payment #2	10/05/10	$ 2,112.50		
			5189-10-CD	Promissory Note ($5,820.35)					YES
			5190-10-CD	Promissory Note ($10,000)					YES
			5191-10-CD	Approval of SignVendor	Payment #1	09/28/10	$ 1,132.08		
					Payment #2	09/28/10	$ 1,132.03		
			5201-10-CD	Approval of Awnings Vendor	Payment #1	09/28/10	$ 3,373.27		
			5201-10-CD	Awning Vendor	Payment #2	01/25/11	$2,973.26		
			5201-10-CD	Awning Vendor	Payment #3	02/01/11	$2,973.26		
2502 Saviers Rd.	Iris Bae	Ross Cleaners	5260-10-DS	Approval of external signage	Payment #1	11/30/10	$1,804.28		

Attachment #2
Exhibit A

[redacted]

3725 Saviers Rd.	Romulo Nicholas	Jessica de Leon	4942-09-CD	Approval Painter	Payment #1	12/01/09	$ 4,500.00	COMPLETE	
					Payment #2	12/01/09	$ 4,500.00		
					Payment #3	12/01/09	$ 1,000.00		
			4955-09-CD	Promissory Note ($10,000)					YES
4238 Saviers Rd.	Jamie Sandoval	Fresh Mex Bar & Grill	5073-10-CD	Promissory Note				COMPLETE	YES
			5051-10-CD	Approval Sign Vendor	Payment #1	04/27/10	$ 1,973.06		
					Payment #2	05/04/10	$ 2,260.23		
					Payment #3	05/04/10	$ 2,260.23		

[illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
811 & 813 Ventura Blvd.	Steve Gibson	Elliots Unfinished Furniture and JJ Furniture	4904-09-CD	Promissory Note ($10,000)				COMPLETE	
			4905-09-CD	Promissory Note ($50,000)					
			4908-09-CD	Approval of General Contractor	Payment #1	12/01/09	$ 19,326.50		
					Payment #2	01/12/10	$ 11,502.92		
					Payment #3	02/02/10	$ 4,918.09		
					Payment #4	02/02/10	$ 4,371.92		
					Payment #5	02/02/10	$ 4,918.09		
					Payment #6	02/02/10	$ 4,371.92		
					Payment #7	02/09/10	$ 7,444.93		
					Payment #8	02/09/10	$ 2,704.28		
					Payment #9	03/16/10	$ 4,918.17		
887 Ventura Blvd.	Tom Schlender	Warehouse Discount	5005-10-CD	Approval of				COMPLETE	YES
			5047-10-CD	Promissory Note					
			5072-10-CD	Approval of Painter	Payment #3	05/04/10	$ 10,280.00		

Summary of Strand / San Carlos Loan Obligations per Centennial Plaza DDA

6/9/2011

Borrower	Origination Date	Loan Agreement Number (or name)	Loan Amount	Due date	Property Location	Balance of obligation as of June 2011
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Lease Consideration Promissory note (interest only payment up to 4/11)	1,000,000	Monthly payments through Cinema lease term (2028)	Centennial Plaza, 5th and B St. Downtown Oxnard	1,150,000 (reflects estimated interest)
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Purchase Price Promissory Note (interest only payment up to 4/11)	800,000	Monthly payments through Cinema lease term (2028)	Centennial Plaza, 5th and B St. Downtown Oxnard	920,000 (reflects estimated interest)
San Carlos Cinemas, Inc.(Operator)	DDA dated 3-7-03	Lease Guarantee Reimbursement Promissory note	Variable. Loan balance equal to total of all lease guarantee payments	No installment payments required. Due upon the specified events in the DDA, such as sale of property	Centennial Plaza, 5th and B St. Downtown Oxnard	2,400,000 (cummulative total of guarantee payments with estimated interest)
Strand Cinemas LLC (Developer)	DDA dated 3-7-03	Lease Guarantee Payment Promissory Note	Variable. Loan balance equal to the total of all lease guarantee payments.	Same obligation as described in San Carlos loan above, loan transfers from San Carlos to Strand upon specified events in DDA, i.e., termination or cancellation of theater lease.	Centennial Plaza, 5th and B St. Downtown Oxnard	No obligation exists until specified event in DDA occurs
RiverPark		Downtown Assistance Plan				$8,000,000.00

PAGES 233-238 ARE INTENTIONALLY OMITTED.

CITY OF
OXNARD
CALIFORNIA

Meeting Date: 09 / 25/ 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: Martin R. Erickson MRE Agenda Item No. R-1

Reviewed By: City Manager JLB City Attorney AH Finance JC Other *(Specify)*

DATE: September 13, 2012

TO: City Council

FROM: Martin R. Erickson, Special Assistant to the City Manager
City Manager's Office

SUBJECT: Discuss Transition of Gold Coast Transit (GCT) from a Joint Powers Agency to a Transit District.

RECOMMENDATION

That City Council consider a report concerning the transition of GCT from a joint powers agency to a transit district.

DISCUSSION

In January 2010, SB 716 (Wolk) went into effect. One of SB 716's provisions for Ventura County dictated that by July 1 2014, all Transportation Development Act (TDA) funding would need to be expended on transit. VCTC was encouraged to prepare a countywide transit plan in 2012 to prepare for this. VCTC prepared a regional transit study in cooperation with Ventura County's cities and the County which was adopted by VCTC on April 13, 2012. A key component of the plan was that Gold Coast Transit (GCT) would transition into a west county transit district, Gold Coast Transit District (GCTD). On July 31, 2012 the City Council unanimously supported VCTC's adopted regional transit study.

GCT is the public transit provider for western Ventura County. GCT is a Joint Powers Agency (JPA) with five members: City of Oxnard, City of Ventura, City of Ojai, City of Port Hueneme and the County of Ventura. Councilman MacDonald is Oxnard's representative on GCT, and the current Chair. Councilmember Ramirez is the alternate.

One of the provisions of the adopted study stated that Oxnard "provide for member agency TDA to be subvented to GCTD as of July 1, 2014, net of funding for transit stations, stops, and facilities." Therefore, Oxnard would still directly obtain its TDA transit funding for transit center operations and bus stop maintenance before allocating the rest of its TDA funding to GCTD.

Additionally, one of the City Council's strategic initiatives February, 2012 was supporting the transition of GCT to a district.

FINANCIAL IMPACT

There is no financial impact at this time.