

RESOLUTION NO. 14,135

**RESOLUTION OF THE CITY OF OXNARD
DESIGNATING THE CITY OF OXNARD AS TO
SUCCESSOR AGENCY TO THE CITY OF OXNARD
COMMUNITY DEVELOPMENT COMMISSION
UNDER PART 1.85 OF DIVISION 24 OF THE
HEALTH AND SAFETY CODE SUBJECT TO
RESERVATIONS HEREIN STATED**

THE CITY OF OXNARD HEREBY RESOLVES AND ORDERS AS FOLLOWS:

Whereas, the City of Oxnard formed the Community Development Commission, which has continuously engaged in redevelopment activities under the Community Redevelopment Law (Health and Safety Code sections 33000 et seq.); and

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

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

Whereas, the City Council of the City of Oxnard desires to declare itself as the successor agency upon the dissolution of the Community Development Commission, subject to all reservations herein stated; and

Whereas, the City Council of the City of Oxnard hereby desires to adopt this Resolution, subject to the express reservation of rights of the City of Oxnard and Community Development Commission under law and/or equity, including without limitation the effectiveness of Assembly Bill No. 26 (2011-2012 1st Ex. Sess.) ("ABx1 26"), collectively, "Laws"; and

Whereas, the City Council does not intend, by adoption of this resolution, to waive any constitutional and/or legal rights under law and/or equity, including without limitation the effectiveness of ABx1 26, by virtue of the adoption of this Resolution and, therefore, reserves all of its rights under Laws to challenge the applicability of ABx1 26 to the Community Development Commission and/or the City of Oxnard in any administrative or judicial proceeding; and

Whereas, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. Subject to all reservations herein stated, the City of Oxnard hereby elects to become the successor agency under Health and Safety Code section 34173(a) and implement all duties of successor agencies under Part 1.85 of Division 24 of the Health and Safety Code.
3. The City Manager is hereby authorized to administer the responsibilities of the City of Oxnard under Part 1.85 of Division 24 of the Health and Safety Code.
4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED and ADOPTED this 10 day of January, 2012, by the following vote:

AYES: Councilmembers Holden, Pinkard, MacDonald, Flynn and Ramirez.

NOES: None.

ABSTAIN: None.

ABSENT: None.



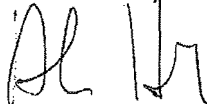
Dr. Thomas E. Holden, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

RESOLUTION NO. 14,136

**RESOLUTION OF THE CITY OF OXNARD
ELECTING TO RETAIN THE HOUSING ASSETS
AND FUNCTIONS OF THE COMMUNITY
DEVELOPMENT COMMISSION UNDER PART 1.85
OF DIVISION 24 OF THE HEALTH AND SAFETY
CODE SUBJECT TO RESERVATIONS HEREIN
STATED**

THE CITY OF OXNARD HEREBY RESOLVES AND ORDERS AS FOLLOWS:

Whereas, the City of Oxnard formed the Community Development Commission, which has continuously engaged in redevelopment activities under the Community Redevelopment Law (Health and Safety Code sections 33000 et seq.); and

Whereas, Sections 33334.2 and 33334.3 of the Community Redevelopment Law require the Community Development Commission to use 20 percent of taxes allocated to the Community development Commission pursuant to Section 33670 of the CRL for the purpose of increasing, improving, and preserving the community's supply of low and moderate income housing ("Low and Moderate Income Housing Fund"); and

Whereas, the Community Development Commission has continuously utilized its Low and Moderate Income Housing Fund for the purpose of increasing, improving and preserving the community's supply of low- and moderate-income housing available at affordable housing cost; and

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

Whereas, subject to all reservations herein stated and pursuant to Part 1.85 of Division 24 of the Health and Safety Code, the City Council of the City of Oxnard desires to retain, without limitation, all of the housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Community Development Commission upon the dissolution of the Community Development Commission, including enforcement of affordability covenants and performance of related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1, commencing with Section 33000), including, but not limited to, Section 33418; and

Whereas, the City Council of the City of Oxnard hereby desires to adopt this Resolution, subject to the express reservation of rights of the City of Oxnard and Community Development Commission under law and/or equity, including without limitation the effectiveness of Assembly Bill No. 26 (2011-2012 1st Ex. Sess.) ("ABx1 26") (collectively, "Laws"); and

Whereas, the City Council does not intend by adoption of this resolution to waive any constitutional and/or legal rights under law and/or equity, including without limitation, the effectiveness of AB 1x 26, by virtue of the adoption of this Resolution and therefore reserves all of its rights under Laws to challenge the applicability of ABx1 26 to the Community Development Commission and/or the City of Oxnard in any administrative or judicial proceeding; and

Whereas, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. Subject to all reservations herein stated and pursuant to Part 1.85 of Division 24 of the Health and Safety Code, the City of Oxnard hereby elects to retain, without limitation, all of the housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Community Development Commission upon the dissolution of the Community Development Commission, including enforcement of affordability covenants and performance of related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1, commencing with Section 33000), including, but not limited to, Section 33418 and hereby accepts the transfer to the City of Oxnard of all of the housing assets, rights, powers, duties, obligations, liabilities and functions associated with the housing activities of the Community Development Commission.
3. The City Manager is hereby authorized to make all notifications of such election as deemed necessary under Part 1.85 of Division 24 of the Health and Safety Code and to execute all documents and take all actions necessary and convenient to carry out and implement the transfer to the City of Oxnard of, without limitation, all of the housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Community Development Commission upon the dissolution of the Community Development Commission, including enforcement of affordability covenants and performance of related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1, commencing with Section 33000), including, but not limited to, Section 33418 and to administer the City's obligations, responsibilities and duties to be performed thereunder.
4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED and ADOPTED this 10th day of January, 2012, by the following vote:

AYES: Councilmembers Holden, Pinkard, MacDonald, Flynn and Ramirez.

NOES: None.

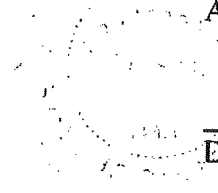

ABSTAIN: None.

ABSENT: None.

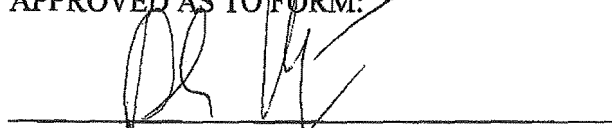


Dr. Thomas E. Holden, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Alan Holmberg, City Attorney

**RESOLUTION OF THE OXNARD COMMUNITY
DEVELOPMENT COMMISSION ADOPTING AN
AMENDED ENFORCEABLE OBLIGATION PAYMENT
SCHEDULE**

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

Whereas, on August 25, 2011, the Oxnard Community Development Commission (the "Commission") adopted Resolution No. 151, which adopted an Enforceable Obligation Payment Schedule (the "EOPS").

Whereas, the EOPS listed Commission payments that were due through December 31, 2011.

Whereas, on December 29, 2011, the California Supreme Court granted a 4-month extension to certain deadlines set forth in Assembly Bill x1 26 ("AB 26"), pursuant to which the EOPS was adopted.

Whereas, in order to be consistent with such 4-month extension, the Commission desires to amend the EOPS to list payments due after December 31, 2011, as set forth on the amended EOPS attached hereto and incorporated herein by this reference.

Whereas, the Commission hereby desires to adopt this Resolution, subject to the express reservation of rights of the Commission and the City of Oxnard under law and/or equity, including, without limitation, the effectiveness of AB 26, collectively, "Laws".

Whereas, the Commission does not intend, by adoption of this resolution, to waive any constitutional and/or legal rights under law and/or equity, including, without limitation, the effectiveness of AB 26, by virtue of the adoption of this Resolution and, therefore, reserves all of its rights under Laws to challenge the applicability of AB 26 to the Commission and/or the City of Oxnard in any administrative or judicial proceeding.

Whereas, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION AS
FOLLOWS:**

Section 1. The Commission hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The attached amended EOPS is hereby adopted.

Section 3. The Commission's Executive Director, or designee, is hereby authorized to take such actions as are necessary and appropriate to comply with AB 26.

Section 4. This Resolution shall take effect immediately upon its adoption.

Section 5. The Commission' Secretary Designate shall certify as to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 10th day of January, 2012, by the following vote:

AYES: Commissioners Holden, Pinkard, MacDonald, Flynn and Ramirez.

NOES: None.

ABSTAIN: None.

ABSENT: None.



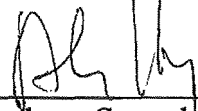
Dr. Thomas E. Holden, Chairman

ATTEST:



Daniel Martinez, Secretary Designate

Approved as to form:



Alan Holmberg, General Counsel

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month							
					Jan	Feb	March	April	May	June	Total	
31) Heritage Square Facility Rental Program	Supermedia, LLC Verizon California Office Depot Mehle Printing Contract Furnishings International Ventura County Wedding Expo Yellowpages Local Directory Alliance Fire Protection Ventura County Reporter I Print on Demand		94,890.00	9,489.00								
32) City of Oxnard	City of Oxnard											
33) Social Security Building	Alert Property Mgmt. Co.	Property Management	96,000.00	9,600.00								\$ -
34) Social Security Building		Property Maintenance	840,000.00	84,000.00								
35) Gateway Signs Design		Fabrication and Installation	141,602.42	141,602.42								
36) HERO RiverPark		Affordable Housing	4,250,000.00	4,250,000.00								
37) HERO RiverPark		Parking Facility	1,471,274.33	1,471,274.33								
38)												\$ -
Totals - This Page			\$ 148,900,619.45	\$ 54,507,854.16	\$ 2,194,633.34	\$ 2,435,633.34	\$ 2,194,633.34	\$ 2,194,633.34	\$ 2,444,633.34	\$ 2,194,633.34	\$ 2,194,633.34	\$ 13,658,800.04
Totals - Page 2			\$ 419,282,386.00	\$ 32,387,536.00	\$ 630,298.86	\$ 988,072.86	\$ 25,819,298.86	\$ 819,298.86	\$ 619,298.86	\$ 619,298.86	\$ 619,298.86	\$ 29,495,567.16
Totals - Other Obligations			\$ -	\$ 3,723,192.00	\$ -	\$ -	\$ -	\$ -	\$ 1,861,596.00	\$ -	\$ -	\$ 1,861,596.00
Grand total - All Pages			\$ 568,183,005.45	\$ 90,618,582.16	\$ 2,824,932.20	\$ 3,423,706.20	\$ 28,013,932.20	\$ 3,013,932.20	\$ 4,925,528.20	\$ 2,813,932.20	\$ 2,813,932.20	\$ 45,015,963.20

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						
					Jan	Feb	March	April	May	June	Total
Façade and Paint Improvement Program	Vogue Sign Tropicana Travel (Alma Ibarra)	Capital Improvement Project									
Façade and Paint Improvement Program	Vogue Sign Street Optometric (Dr. Pazen)	Capital Improvement Project									
Façade and Paint Improvement Program	Vogue Sign DeGante's Uniforms (Jacqueline DeGante)	Capital Improvement Project									
Façade and Paint Improvement Program	Vogue Sign Anita's Salon of Beauty (Ana R. Rivera)	Capital Improvement Project									
Façade and Paint Improvement Program	Sign A Rama Fresh n Fabulous (Magda Weydt)	Capital Improvement Project									
Façade and Paint Improvement Program	Sign A Rama KO Knockout Fitness (Anthony)	Capital Improvement Project									
Façade and Paint Improvement Program	Signs Pacific El Coyote/El Dorado (Raul Orozco)	Capital Improvement Project									
Façade and Paint Improvement Program	Sign A Rama ONIX Ins	Capital Improvement Project									
Façade and Paint Improvement Program	Steve Greene Const./Stamania Neon/ Daniels Const. El Teatro (Paul Sangster)	Capital Improvement Project									
Façade and Paint Improvement Program	Albillo Const. Soo Hoo Building (Angela Soo Hoo)	Capital Improvement Project									
Façade and Paint Improvement Program	Artist Canteen Otani Fish Market	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Golden Chicken Inn	Capital Improvement Project									
Façade and Paint Improvement Program	Jesse's Taco De Mexico	Capital Improvement Project									
Façade and Paint Improvement Program	Mona Lisa's	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Sol del Pacifico	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Vacant Building (Robert Wademan)	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project La Central Bakery	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Oxnard City Florist	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Farmers Ins Group	Capital Improvement Project									
Façade and Paint Improvement Program	Downtown Façade - approved project Shaffer MD	Capital Improvement Project									
Façade and Paint Improvement Program	future project - Goldcoast Radio	Capital Improvement Project									
Façade and Paint Improvement Program	future project - La Gloria Market (Sal Ayala)	Capital Improvement Project									
Façade and Paint Improvement Program	future project - Elite Boutique (Edith Medina)	Capital Improvement Project									
Façade and Paint Improvement Program	future project - Meson Viejo (Benito Gomez)	Capital Improvement Project									
12) COOPERATION AGREEMENT	City of Oxnard	To facilitate the implementation of projects, programs, activities, and admin costs of the agency	411,525,850.00	25,000,000.00			25,000,000.00				\$ 25,000,000.00
13) ICSC Conferences	International Council of Shopping Centers	Retail Retention & Attraction Conferences	290,000.00	29,000.00							
14) South Oxnard Library	City of Oxnard	Capital Improvement Project	600,000.00	600,000.00		200,000.00	200,000.00	200,000.00			\$ 600,000.00
15) Office Space	City of Oxnard		168,774.00	168,774.00		168,774.00					\$ 168,774.00
Totals - This Page			\$ 419,282,386.00	\$ 32,387,536.00	\$ 630,298.86	\$ 988,072.86	\$ 25,819,298.86	\$ 819,298.86	\$ 619,298.86	\$ 619,298.86	\$ 29,495,567.16

Name of Redevelopment Agency: Oxnard Community Development Commission

Project Area(s) CCRP, CCRP Annex, Downtown, Southwinds, Ormond Beach, HERO, HERO Annex

AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (OTHER)

Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						
					Jan	Feb	March	April	May	June	Total
1) Statutory Payments	Port Hueneme Elemen Sch Dist	Pass-Through Payment		57,000.00					28,500.00		\$ 28,500.00
2) Statutory Payments	Ocean View Elem Sch District	Pass-Through Payment		80,000.00					40,000.00		\$ 40,000.00
3) Statutory Payments	Oxnard Elementary School Dist	Pass-Through Payment		225,750.00					112,875.00		\$ 112,875.00
4) Statutory Payments	Rio Elementary School District	Pass-Through Payment		253,000.00					126,500.00		\$ 126,500.00
5) Statutory Payments	Oxnard High School District	Pass-Through Payment		365,400.00					182,700.00		\$ 182,700.00
6) Statutory Payments	Ventura Community College Dist	Pass-Through Payment		149,000.00					74,500.00		\$ 74,500.00
7) Statutory Payments	Ventura Comm. College Dist Childrens Center	Pass-Through Payment		840.00					420.00		\$ 420.00
8) Statutory Payments	Ventura County General Fund	Pass-Through Payment		1,399,076.00					699,538.00		\$ 699,538.00
9) Statutory Payments	ERAF 92-93 Shift	Pass-Through Payment		135,102.00					67,551.00		\$ 67,551.00
10) Statutory Payments	ERAF 93-94 Shift	Pass-Through Payment		267,654.00					133,827.00		\$ 133,827.00
11) Statutory Payments	Ventura County Office of Education	Pass-Through Payment		55,954.00					27,977.00		\$ 27,977.00
12) Statutory Payments	County Flood District Admin	Pass-Through Payment		7,063.00					3,531.50		\$ 3,531.50
13) Statutory Payments	County Flood District Zone #2	Pass-Through Payment		113,073.00					56,536.50		\$ 56,536.50
14) Statutory Payments	County Flood District Zone #4	Pass-Through Payment		5.00					2.50		\$ 2.50
15) Statutory Payments	General Fund Ocean View Water Dist	Pass-Through Payment		22.00					11.00		\$ 11.00
16) Statutory Payments	Oxnard Drain #1	Pass-Through Payment		125.00					62.50		\$ 62.50
17) Statutory Payments	United Water Conservation District	Pass-Through Payment		29,242.00					14,621.00		\$ 14,621.00
18) Statutory Payments	City of Oxnard	Pass-Through Payment		553,566.00					276,783.00		\$ 276,783.00
19) Statutory Payments	Calleguas Municipal Water District	Pass-Through Payment		31,320.00					15,660.00		\$ 15,660.00
20)											\$ -
21)											\$ -
22)											\$ -
23)											\$ -
24)											\$ -
25)											\$ -
26)											\$ -
27)											\$ -
28)											\$ -
Totals - Other Obligations				\$ -	\$ 3,723,192.00	\$ -	\$ -	\$ -	\$ -	\$ 1,861,596.00	\$ 1,861,596.00