



Meeting Date: 01/09/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Ernie Whitaker *Ernie* Agenda Item No. I-3  
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *SW* Other *(Specify)*

DATE: December 27, 2006

TO: City Council

FROM: Sal Gonzalez, Housing Director  
 Housing Department *[Signature]*  
*S.R.*  
 Rob Roshanian  
 Development Services Manager

SUBJECT: Development Fee Deferrals for Sycamore Senior Apartments Housing Project, 333 North F Street, Oxnard, California

**RECOMMENDATION**

That City Council approve and authorize the Mayor to execute an agreement (A-6822) with Sycamore Senior Apartments, LP for the deferral of approximately \$395,000 of development fees for the Sycamore Senior Apartment Housing project.

**DISCUSSION**

At its meeting of December 11, 2001, City Council passed Ordinance No. 2590 authorizing the deferral of development fees for affordable housing projects upon the request of the developer. Sycamore Senior Apartments has met the requirements of the ordinance and has executed the necessary agreement which enables it to obtain development fee deferral until it applies for electrical service.

**FINANCIAL IMPACT**

There is no financial impact. The City will receive all development fees at the conclusion of construction.

Attachment #1 – Agreement to Pay Deferred Fees for Development of Affordable Housing Project

**AGREEMENT TO PAY DEFERRED FEES  
FOR DEVELOPMENT OF AFFORDABLE HOUSING PROJECT**

This Agreement to Pay Deferred Fees for Development of Affordable Housing Project (the "Agreement") is entered into in the County of Ventura, State of California, this 16<sup>th</sup> day of November 2004, by and between the City of Oxnard, a municipal corporation of the State of California ("City"), and Sycamore Senior Apartments, LP ("Developer").

WHEREAS, the City Council adopted Ordinance No. 2590, in order to encourage the construction of affordable housing by deferring development fees for a period of time; and

WHEREAS, Developer has received City approval to develop an affordable housing project ("the project") located and described as follows: Sycamore Village, 333 North F Street, Oxnard, CA 93030, which consists of 229 low and very low income units; and

WHEREAS, Developer has requested that City defer development fees for the project pursuant to Ordinance No. 2590; and

WHEREAS, the project is subject to the following development fees referred to in Ordinance No. 2590, as well as other fees that are not deferred.

NOW THEREFORE, City and Development Agree:

1. Developer agrees that at least 20% of the units in the project will be sold or rented only to lower income families, as defined in California Health and Safety Code section 50079.5, at housing costs affordable to such families, as defined in California Health and Safety Code section 50042.5, for a period of at least ten years from the date of this Agreement.

2. City Agrees to defer payment of the following development fees up to the date that Developer first requests electrical service clearance for a unit in the project:

Fee:	City Code Reference:
Wastewater Facilities	27-89-30 et seq.
Growth Requirement Capital	27-89-60 et seq.
Park Site (Quimby and Parks Tax)	27-65 et seq.

3. City also agrees to calculate the fees referred to above based on the amount of such fees in effect on the date that Developer first applies for a building permit for the project.

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4. Developer agrees to pay the fees so deferred when Developer first requests electrical service clearance for a unit in the project.
5. This Agreement shall be considered to be a concession or incentive granted by City to Developer pursuant to Government code section 65915.

CITY OF OXNARD

SYCAMORE SENIOR APARTMENTS, LP

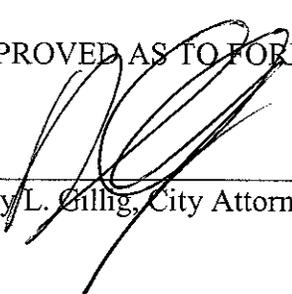
\_\_\_\_\_  
Dr. Thomas E. Holden

\_\_\_\_\_  
Bien Gan Oei, President

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

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