



Meeting Date: 03/ 27/ 07

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

Prepared By: Kymerly Horner, Management Analyst KH Agenda Item No. L-1  
 Reviewed By: City Manager [Signature] City Attorney [Signature] Finance SW Library [Signature]

**DATE:** March 20, 2007

**TO:** City Council  
Community Development Commission

**FROM:** Curtis P. Cannon, Community Development Director [Signature]  
Community Development Department

**SUBJECT:** Adopt Resolution and Propose Special Budget Appropriation in the Amount of \$750,000 for the New South Oxnard Branch Library Located at 4300 Saviers Road.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution consenting to the payment of certain costs related to the new City Branch Library in the Historic Enhancement and Revitalization of Oxnard ("HERO") Project and making certain determinations and findings pursuant to Health and Safety Code section 33445.
2. Approve a special budget appropriation in the amount of \$750,000 from the HERO Project Area Fund Balance to the South Oxnard Library to assist in the construction of a new public facility.

That Community Development Commission:

1. Adopt a resolution consenting to the payment of certain costs related to the new City Branch Library in the HERO Project and making certain determinations and findings pursuant to Health and Safety Code section 33445.
2. Approve a special budget appropriation in the amount of \$750,000 from the HERO Project Area Fund Balance to the South Oxnard Library to assist in the construction of a new public facility.

**DISCUSSION**

In May of 2002 the City of Oxnard acquired a 27,122 Sq. ft. parcel for the development of a new branch library located at 4300 Saviers Road. The site is adjacent to the South Oxnard Community Center and will service the residents of the South Oxnard community.

In 2002 the anticipated cost for the construction of the library was approximately \$9,717,862. In order to finance the new library, City Council authorized staff to apply for a grant from the California State

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Subject/Permit  
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Library, Office of Library Construction. The application was successful and in 2002 the City received a \$5,785,761 grant for the construction of a new 23,000 square foot library. In May 2002 the City Council adopted Resolution No. 12,145 that provided a local match of 35% amounting to \$3,115,410, and one time supplemental funds in the amount of \$816,692 for a total contribution of \$3,932,102 for the new library.

Section 33445 of the California Health and Safety Code allow for redevelopment agencies to use tax increment revenues to fund the construction of public facilities when the construction of a public facility will prove to be a benefit to the project area. Staff is recommending that the Community Development Commission appropriate \$750,000 from the fund balance of the HERO Project Area for construction costs related to the new library.

The new public library, located in the HERO Project Area, will include a computer lab, study rooms and a homework center and a state-of-the-art check-in and out system and will greatly benefit all residents, employees, business tenants and property owners of the City. The installation and construction of the new library will expand the City's library facilities and is an investment in the City's public facilities.

## **FINANCIAL IMPACT**

The Special Budget Appropriation will appropriate \$750,000 from the HERO Project Area fund balance to the South Oxnard Library Project Account # 405-5407 (015401) for the construction of the New Library. There are sufficient funds in the HERO Fund Balance to fund this request.

KH

Attachment #1 - Resolution to the City Council  
#2 - Resolution to the CDC  
#3 - Summary Report  
#4 - Special Budget Appropriation

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CITY OF OXNARD, CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, CONSENTING TO THE PAYMENT OF CERTAIN COSTS RELATED TO THE NEW CITY BRANCH LIBRARY IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445

WHEREAS, the Oxnard Community Development Commission ("Commission") is engaged in activities necessary to implement the Redevelopment Plan ("Redevelopment Plan") for the HERO Project (the "Project Area");

WHEREAS, the Commission has adopted a Five Year Implementation Plan for the Project Area, as amended, in accordance with Section 33490 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) ("CRL") (the "Implementation Plan");

WHEREAS, pursuant to Section 33445 of the CRL, the Commission may, with the consent of the City Council ("City Council") of the City of Oxnard ("City"), pay all or part of the value of the land for and the cost of the installation and construction of any facility, structure, or other improvement which is publicly owned either within or outside a project area, if the City Council makes certain determinations;

WHEREAS, the Commission desires to pay part of the cost of the installation and construction of a new City branch library located at 4300 Saviers Road in the Project Area ("Public Improvement");

WHEREAS, a public hearing has been duly held as contemplated by the CRL;

WHEREAS, pursuant to Section 33679 of the CRL, the Commission has prepared a summary report in connection with the Public Improvement ("33679 Summary");

WHEREAS, a copy of the 33679 Summary has been available for public inspection as required by the CRL;

WHEREAS, it is in the best interests of the City and for the common benefit of residents, employees, business tenants and property owners within the Project Area and the City as a whole for the Public Improvement to be installed and constructed;

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WHEREAS, since there are no other reasonable means available to the City to fully finance the Public Improvement, the Commission proposes to pay part of the cost of the installation and construction of the Public Improvement;

WHEREAS, the Commission's agreement to pay part of the cost of the installation and construction of the Public Improvement constitutes an indebtedness of the Commission for the purpose of carrying out the redevelopment for the Project Area;

WHEREAS, the Public Improvement is of benefit to the Project Area and the immediate neighborhood in which the Public Improvement is located; and

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

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

1. The City Council hereby finds and determines that all recitals set forth in this Resolution are true and correct and incorporated herein in full by this reference.

2. The City Council has reviewed and approves the 33679 Summary.

3. Based on substantial evidence in the record, the City Council hereby finds and determines that:

a. The Public Improvement is of benefit to the Project Area and the immediate neighborhood in which the Public Improvement is located. This determination is based, in part, on the 33679 Summary.

b. No other reasonable means of financing the Public Improvement are available to the City. This determination is based, in part, on the 33679 Summary.

c. The payment of funds by the Commission for costs related to the Public Improvement will assist in the elimination of one or more blighting conditions within the Project Area and is consistent with the Implementation Plan for the Project Area. This determination is based, in part, on the 33679 Summary.

4. The City Council hereby consents to the payment of part of the cost of the installation and construction of the Public Improvement by the Commission. The obligations of the Commission shall constitute an indebtedness of the Commission for the purpose of carrying out the Redevelopment Plan for the Project Area.

5. The Mayor or City Manager (or his or her respective designee) is authorized to take any action and execute any and all documents and agreements necessary to implement this Resolution.

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

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007,  
BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF OXNARD

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

ATTEST:

\_\_\_\_\_  
Daniel Martinez  
Clerk

APPROVED AS TO FORM:

*Gary L. Gilig* 03-20-07  
\_\_\_\_\_  
Gary L. Gilig  
City Attorney

OXNARD COMMUNITY DEVELOPMENT COMMISSION

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION AGREEING TO PAY CERTAIN COSTS RELATED TO THE NEW CITY BRANCH LIBRARY IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445

WHEREAS, the Oxnard Community Development Commission ("Commission") is engaged in activities necessary to implement the Redevelopment Plan ("Redevelopment Plan") for the HERO Project (the "Project Area");

WHEREAS, the Commission has adopted a Five Year Implementation Plan for the Project Area, as amended, in accordance with Section 33490 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) ("CRL") (the "Implementation Plan");

WHEREAS, pursuant to Section 33445 of the CRL, the Commission may, with the consent of the City Council ("City Council") of the City of Oxnard ("City"), pay all or part of the value of the land for and the cost of the installation and construction of any facility, structure, or other improvement which is publicly owned either within or outside a project area, if the City Council makes certain determinations;

WHEREAS, the Commission desires to pay part of the cost of the installation and construction of a new City branch library located at 4300 Saviers Road in the Project Area ("Public Improvement");

WHEREAS, a public hearing has been duly held as contemplated by the CRL;

WHEREAS, pursuant to Section 33679 of the CRL, the Commission has prepared a summary report in connection with the Public Improvement ("33679 Summary");

WHEREAS, a copy of the 33679 Summary has been available for public inspection as required by the CRL;

WHEREAS, it is in the best interests of the City and for the common benefit of residents, employees, business tenants and property owners within the Project Area and the City as a whole for the Public Improvement to be installed and constructed;

WHEREAS, since there are no other reasonable means available to the City to fully finance the Public Improvement, the Commission proposes to pay part of the cost of the installation and construction of the Public Improvement;

WHEREAS, the Commission's agreement to pay part of the cost of the installation and construction of the Public Improvement constitutes an indebtedness of the Commission for the purpose of carrying out the redevelopment for the Project Area;

WHEREAS, the Public Improvement is of benefit to the Project Area and the immediate neighborhood in which the Public Improvement is located; and

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

NOW, THEREFORE, the Oxnard Community Development Commission hereby resolves as follows:

1. The Commission hereby finds and determines that all recitals set forth in this Resolution are true and correct and incorporated herein in full by this reference.

2. The Commission has reviewed and approves the 33679 Summary.

3. Based on substantial evidence in the record, the Commission hereby finds and determines that:

a. The Public Improvement is of benefit to the Project Area and the immediate neighborhood in which the Public Improvement is located. This determination is based, in part, on the 33679 Summary.

b. No other reasonable means of financing the Public Improvement are available to the City. This determination is based, in part, on the 33679 Summary.

c. The payment of funds by the Commission for costs related to the Public Improvement will assist in the elimination of one or more blighting conditions within the Project Area and is consistent with the Implementation Plan for the Project Area. This determination is based, in part, on the 33679 Summary.

4. The Commission hereby agrees to pay part of the cost of the installation and construction of the Public Improvement as agreed upon and directed by the Commission Chairman or Commission Executive Director (or his or her respective designee). The obligations of the Commission pursuant to this Resolution shall constitute an indebtedness of the Commission for the purpose of carrying out the Redevelopment Plan for the Project Area.

5. The Commission Chairman or the Commission Executive Director (or his or her respective designee) is authorized to take any action and execute any and all documents and agreements necessary to implement this Resolution.

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

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PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007,  
BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

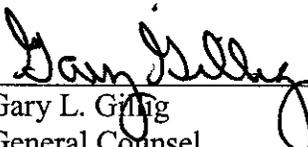
OXNARD COMMUNITY DEVELOPMENT  
COMMISSION

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

ATTEST:

\_\_\_\_\_  
Daniel Martinez  
Secretary

APPROVED AS TO FORM:

 03-20-07  
\_\_\_\_\_  
Gary L. Gilling  
General Counsel

**SUMMARY REPORT**  
**PURSUANT TO SECTION 33679**  
**OF THE COMMUNITY REDEVELOPMENT LAW**

**I. INTRODUCTION**

The Oxnard Community Development Commission ("Commission") is engaged in activities necessary to execute and implement the redevelopment plan ("Redevelopment Plan") for the Historic Enhancement and Revitalization of Oxnard (HERO) Project Area ("Project Area"). Section 33445 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) ("CRL") provides that the Commission may, with the consent of the City Council of the City of Oxnard ("City"), pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement that is publicly owned either within or outside a project area, if the City Council makes the determinations set forth in Section 33445 of the CRL.

In May 2002 the City acquired property for the development of a new City branch library located at 4300 Saviers Road ("New Library"). The New Library site is adjacent to the South Oxnard Community Center and will greatly expand City library services, especially for the residents of the south Oxnard community. The stately New Library is located in the Project Area. The New Library will include a computer lab, study rooms, a homework center and a state-of-the-art filing system.

The Commission desires to pay part of the cost of the installation and construction of the New Library. In connection therewith, this summary report has been prepared in accordance with Section 33679 of the CRL and contains all of the following:

- A. Estimate of the amount of tax increment from the Project Area proposed to be used to pay for the installation and construction of the New Library, including interest payments.
- B. The facts supporting the determinations required to be made by the City Council pursuant to Section 33445 of the CRL.
- C. The redevelopment purpose for which the tax increment from the Project Area is being used to pay for the installation and construction of the New Library.

**II. ESTIMATE OF TAX INCREMENT FROM THE PROJECT AREA PROPOSED TO BE USED TO PAY FOR THE INSTALLATION AND CONSTRUCTION OF THE NEW LIBRARY, INCLUDING INTEREST PAYMENTS**

The Commission proposes to allocate a special budget appropriation in the approximate amount of Seven Hundred Fifty Thousand Dollars (\$750,000) from the HERO Project

Area Fund Balance to pay for part of the cost of installation and construction of the New Library.

**III. FACTS SUPPORTING SECTION 33445 DETERMINATIONS**

- A. The New Library is of benefit to the Project Area and the immediate neighborhood in which the New Library is located.

The New Library is in the best interests of the City and the health, safety, morals and welfare of its taxpayers, employees, business tenants, property owners and residents. Two major goals of the City contained in the Commission's five year Implementation Plan for the Project Area, as amended, ("Implementation Plan") include the development of underdeveloped or poorly developed areas that are under utilized or improperly utilized and to strengthen the economic base of the Project Areas by installation of needed improvements. One of the programs undertaken pursuant to the Implementation Plan intended to facilitate the achievement of the common goals and objectives previously discussed is a Public Facilities program which includes urban design improvements, public utilities, the New Library and street construction. The New Library includes a computer lab, study rooms, a homework center and state-of-the-art filing system. The installation and construction of the New Library will benefit all residents, employees, business tenants and property owners of the Project Area, as well as the residents, employees, business tenants and property owners of the City, since the library serves the entire City including the Project Area. The installation and construction of the New Library will expand the City's library facilities, especially to south Oxnard residents, and is an investment in the City's public facilities.

The New Library falls within the list of public facility 5 year priorities set forth in Table 9 of the Implementation Plan. Furthermore, as described in the Implementation Plan, activities grouped under the Public Facilities program are designed to enhance the physical image of public spaces and rectify public improvement deficiencies. The relationship between specific activities and blight elimination in the Project Area is summarized in Table 11 of the Implementation Plan. Accordingly, the New Library assists in obtaining the goals listed in the Redevelopment Plan, is consistent with the Implementation Plan and will assist in the elimination of one or more blighting conditions in the Project Area.

- B. No other reasonable means of financing the New Library are available to the City.

The City itself is not in a position to fully finance the installation and construction of the New Library. In 2002 the anticipated cost for the construction of the New Library was approximately \$9,717,862.00. In order to finance the New Library, City Council authorized staff to apply for a grant from the California State Library, Office of Library Construction. The application was successful and in

2002 the City received a \$5,785,761 grant for the construction of the New Library. In May 2002 the City Council adopted Resolution No. 12,145 that provided a local match of 35% amounting to \$3,115,410, and one time supplemental funds in the amount of \$816,692 for a total contribution of \$3,932,102 for the New Library. However, due to a nationwide increase in raw construction materials and the rapid changes and increases in the steel industry, construction cost nationwide have outpaced original projections on new construction projects including original construction cost estimates of the New Library. Without the assistance of tax increment funding from the Project Area, capital improvements in other parts of the City would have to be deferred or eliminated in order to fully fund the New Library. Given the constraints on financing sources which are under the direction of the City, it is clear that all anticipated and needed public capital improvements cannot be completed using only City funds. It is clear that there must be a combination of tax increment and non-tax increment funding.

- C. The payment of funds by the Commission for costs related to the New Library will assist in the elimination of one or more blighting conditions within the Project Area and is consistent with the Implementation Plan for the Project Area.

As discussed above in Section III.A., the New Library assists in obtaining the goals listed in the Redevelopment Plan, is consistent with the Implementation Plan and will assist in the elimination of one or more blighting conditions in the Project Area. Moreover, the installation and construction of the New Library is in the best interest of the City and the health, safety, morals and welfare of its taxpayers, employees, business tenants, property owners and residents. Furthermore, the construction and completion of the New Library will assist in the elimination of blight by creating jobs and strengthening the City's land use base.

IV. **REDEVELOPMENT PURPOSE FOR WHICH THE TAX INCREMENT FROM THE PROJECT AREA IS BEING USED TO PAY FOR THE INSTALLATION AND CONSTRUCTION OF THE NEW LIBRARY**

As discussed above in Sections III.A., III.C. III.D of this report, the installation and construction of the New Library with funds from the Project Area will assist in the elimination of blight within the Project Area and within the City as a whole, and are consistent with the Commission's Implementation Plan.

# CITY OF OXNARD

## REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

March 27, 2007

Request is hereby made for an appropriation of total . . . . .

\$ 750,000

Reason for appropriation: To assist with the construction of the new South Oxnard Library

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
CDC H.E.R.O. (405)	South Oxnard Library - 2000 405-5407- (015401)	
	827-8602 - Capital Outlay - Building New	750,000
	<b>Net Estimated Change to CDC H.E.R.O. Fund Balance</b>	<u><b>(750,000)</b></u>

*Curtis P. Cannon*  
Manager

DIRECTOR OF FINANCE

*Susan Winder*

Disposition

Approved \_\_\_\_\_

Rejected \_\_\_\_\_

Transfer by Journal Voucher \_\_\_\_\_

\_\_\_\_\_  
City Manager

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ATTACHMENT NO. 4

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