

Meeting Date: November 20, 2007



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input checked="" 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: Brian D. Pendleton, Redevelopment Services Manager Agenda Item No. 0-1

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

DATE: November 14, 2007

TO: City Council
Community Development Commission

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

SUBJECT: **Fourth Amendment to the Owner Participation Agreement (OPA) and First Amendment to the Memorandum of Understanding (MOU) for the RiverPark Project Located Adjacent to and North of the Highway 101 Freeway, Adjacent to and East of the Santa Clara River, and West of Vineyard Avenue**

RECOMMENDATION

That the City Council:

1. Approve and authorize the Mayor to execute a First Amendment to the Memorandum of Understanding (A-5965) among the City, CDC, and RiverPark A, relating to development of the RiverPark Project.
2. Authorize the Mayor and City Manager, on behalf of the City, to each sign all documents necessary and appropriate to carry out and implement the First Amendment to the Memorandum of Understanding (A-5965), and to administer the City's obligations, responsibilities, and duties to be performed thereunder.
3. Approve and adopt the attached resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA CONSENTING TO THE PAYMENT BY THE OXNARD COMMUNITY DEVELOPMENT COMMISSION OF CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS."

That the Community Development Commission (CDC):

1. Approve and authorize the Chairman to execute a Fourth Amendment to the Owner Participation Agreement (A-5965) between the CDC and Shea Properties II, LLC (or RiverPark A, LLC if Shea Properties II, LLC has not completed its acquisition of the subject property) relating to development of the RiverPark Project.
2. Approve and authorize the Chairman to execute a First Amendment to the Memorandum of Understanding (A-5965) among the City, CDC, and RiverPark A.
3. Authorize the Chairman and Executive Director, on behalf of the CDC, to each sign all documents necessary and appropriate to carry out and implement the Fourth Amendment to the Owner Participation Agreement (A-5965) and the First Amendment to the Memorandum of Understanding (A-5965), and to administer the CDC's obligations, responsibilities, and duties to be performed thereunder.
4. Approve and adopt the attached resolution entitled "A RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION AGREEING TO REIMBURSE CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS."

DISCUSSION

RiverPark is a 700-acre mixed use community located in the northwest portion of the City. Existing project entitlements include an OPA and three amendments thereto, Development Agreement (DA) and one amendment thereto and a Specific Plan. The Specific Plan consists of 13 Planning Areas. Existing entitlements authorize 900,000 square feet of commercial space including a regional lifestyles shopping center that features an upscale grocery store, theater complex, and 320-room hotel. A portion of the Specific Plan area is located within the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Area and is considered a vital component to its success.

The MOU was approved by the City and CDC on August 7, 2007, and addressed discussions among RiverPark, downtown Centennial Plaza theater developers and operator, the City, and CDC regarding the RiverPark theater. The MOU provided that the parties would negotiate in good faith to enter into a Fourth Amendment to the RiverPark OPA containing the following terms:

- The CDC would provide \$12 million in financing to be used for the construction of public infrastructure, parking facilities and improvements that would support the RiverPark commercial project in accordance with the Community Redevelopment Law (Health & Safety Code §§ 33000 *et seq.*).
- RiverPark A would pay the CDC \$9 Million to be used by the CDC for the purpose of implementing a Downtown Assistance Program to be developed by the CDC.

The parties have concluded these negotiations and drafted the Fourth Amendment to the OPA and First Amendment to the MOU. Related documents (Ground Lease, Parking Management Agreement, and Acquisition Agreement) will be considered by the CDC on approximately November 27, 2007. Shea Properties II, LLC intends to acquire the commercial portions of the site from RiverPark A and is intended to be the legal entity responsible for developing the commercial portion of the site. Shea Properties, II has indicated that its acquisition will occur prior to this item being considered by the City Council and CDC. In the event it does not, the Fourth Amendment to the RiverPark OPA would be executed by RiverPark A and Shea Properties II would assume RiverPark A's obligations as they pertain to the commercial portion of the site as amended by the Fourth Amendment to the RiverPark OPA.

Key points in the amended and new documents are:

- CDC will provide \$12 million in funding from HERO to Shea Properties II, LLC through monthly installments for public improvements including a 500-space public parking structure (approximate);
- Shea Properties II, LLC will provide the CDC with \$9 million in funding for Merged R-108/Central City Revitalization Project Area. The CDC will continue its on-going negotiations with the Centennial Plaza theater developers and operator and intends to formally consider an agreement with those parties at a later date. The \$9 million would be paid as follows:
 - \$1 million will be provided to the CDC within 30 days following execution of the recommended agreements and the related documents (Ground Lease, Parking Management Agreement, and Acquisition Agreement) which would be considered by the CDC at a later date and Shea Properties II's acquisition of the subject property;
 - \$8 million will be provided to the CDC upon the earlier of: (1) CDC's expenditure of the \$12 million (and accrued interest, if any) or (2) if Shea Properties II receives permits by June 1, 2008 for the public parking structure, then when the RiverPark theater opens, Shea Properties II would pay 66 percent of any portion of the \$12 million which had been paid to Shea Properties II, and 9 months thereafter Shea Properties II would pay the remaining portion of the \$8 million plus interest at 5 percent.
- The indemnification RiverPark A provided to the City and CDC in the MOU against, among others, claims of the developers and operator of the downtown theater (permitting development of a theater in the RiverPark Specific Plan area) is terminated;
- As part of future agreements the CDC enters into with the Centennial Plaza theater developers and operator to implement a Downtown Assistance Program, the City/CDC will obtain litigation releases from the developers and operator for the City, CDC and Shea Properties II, LLC from future lawsuits arising from the inclusion of a theater complex at RiverPark;
- Specific criteria have been established for Shea Properties II, LLC to submit and receive the CDC's approval or disapproval for new tenants and subtenants in the three main shopping centers. Certain corporate transfers are excluded from Shea Properties II, LLC

and CDC review. For planning purposes these shopping centers have been named the "Main Collection", "West Collection" and "North Collection".

- Tenant criteria specific to these three shopping centers include national or regional retailers who primarily operate in:
 - First-class regional or lifestyle centers in California - Main Collection
 - First-class power and/or promotional centers in California – West Collection
 - Quality Neighborhood Centers in California – North Collection
- Tenant criteria generally applicable to tenants within all three shopping centers include:
 - Financial strength
 - Produces sales tax
 - Compatibility with existing tenants
 - Operation of at least 10 stores under the same trade name
 - Primarily displaying and offering high quality merchandise
- For new tenants, the CDC will have 20 calendar days from receipt of the tenant's name and complete qualifications to issue an approval or denial letter. For subleases and assignments, the CDC will have 10 calendar days.
- A list of prohibited uses are specified in the OPA and remain unchanged except as set forth in the Fourth Amendment to the RiverPark OPA.

Shea Properties II, LLC is required under the existing agreements including the Amended OPA and Development Agreement to produce a combined total of 395,000 commercial square footage no later than December 31, 2009, a combined total of 425,000 commercial square footage no later than December 31, 2010, and a combined total of 680,000 commercial square footage no later than December 31, 2012. It is anticipated that the movie theater complex will be completed in 2009.

On July 16, 2002, the City Council adopted Resolution No. 12,209 upholding the Planning Commission's decision certifying the Environmental Impact Report (State Clearinghouse No. 2000051046) and adopting findings of fact, statement of overriding considerations and mitigation monitoring and reporting program for the RiverPark Specific Plan. Environmental impact evaluations included Specific Plan hotel and commercial areas. Addendum No. 5 to RiverPark Project Final Environmental Impact Report states that the impacts of the Specific Plan project are unchanged due to proposed modified project not creating any change in the Specific Plan size, land uses, or intensity of the development.

Primary potential sources of funding for a portion of the \$12 million include a tax-exempt tax allocation bond. The CDC's obligation would be a HERO project wide fund obligation. The CDC's bond team has made preliminary findings that the portion of RiverPark located within the HERO project area known as "RiverPark A" (which is primarily the commercial component) will be able to generate property tax revenues (tax increment) that will more than repay the potential bond debt service over the life of the RiverPark project. However during the initial years of

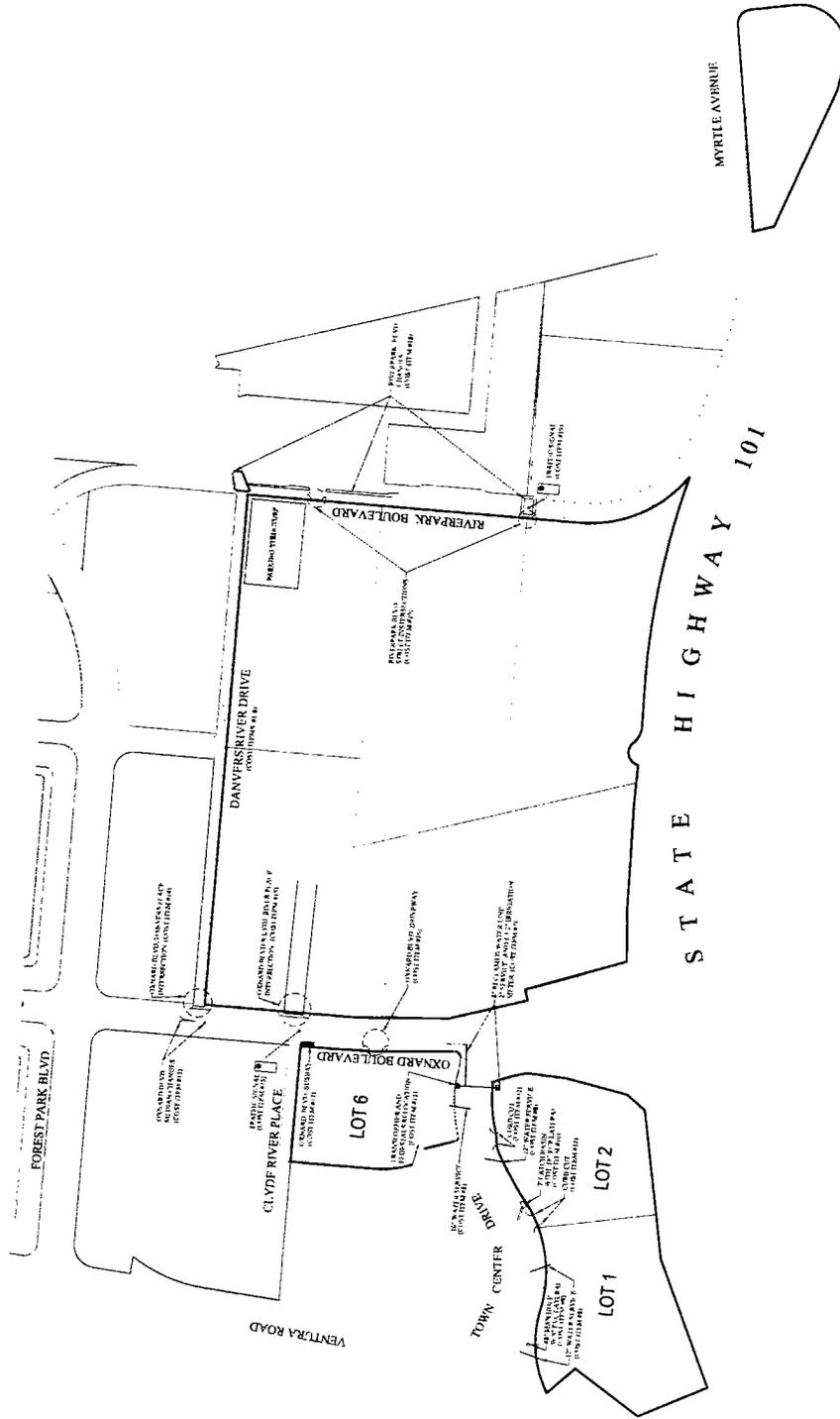
project construction and development, bond debt service will outpace tax increment revenues. Therefore a bond issuance will need to be secured against the HERO project area as a whole rather than RiverPark A. This is typical of recent and past CDC bond issuances in HERO, Merged R108/Central City Revitalization Project, Southwinds and Ormond Beach. This backing provides financial strength to the issuance, reduced risk to bond purchasers and lowers interest rates to the CDC thus reducing repayment costs.

FINANCIAL IMPACT

Approving the recommendations will create a \$12 million CDC obligation from HERO project wide to Shea Properties II, LLC. It will also create a \$9 million Shea Properties II, LLC obligation to the CDC for use in the Merged R108/Central City Revitalization Project Area. Staff will return to the CDC with formal recommendations to fund the \$12 million obligation.

- Attachment #1 – The Collection at RiverPark Offsite Public Improvements
#2 – Tax Increment Financing Elements
#3 – Fourth Amendment to Owner Participation Agreement with Shea Properties II, LLC
#4 – First Amendment to Memorandum of Understanding
#5 – Resolution entitled “A RESOLUTION ON THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, CONSENTING TO THE PAYMENT BY THE OXNARD COMMUNITY DEVELOPMENT COMMISSION OF CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS”
#6 – Resolution entitled “A RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION AGREEING TO REIMBURSE CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS”

Note: Drafts of the Fourth Amendment to Owner Participation Agreement and First Amendment to Memorandum of Understanding have been provided to the City Council and CDC. Copies of the drafts are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on the Monday before the meeting.



TAX INCREMENT FINANCING ELEMENTS
EXHIBIT ONE

PREPARED BY
HUITT-ZOLLARS
10000 Wilshire Blvd., Suite 200
Beverly Hills, CA 90210
PHONE (310) 274-1000 FAX (310) 274-1010

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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 BY THE OXNARD COMMUNITY DEVELOPMENT COMMISSION OF CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS

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 and Shea Properties II, LLC, a Delaware limited liability company ("SP II"), have negotiated that certain Fourth Amendment to Owner Participation Agreement ("Fourth Amendment"), which amends that certain Owner Participation Agreement dated as of June 12, 2001 entered into by and between the Commission and RiverPark A, a Delaware limited liability company, SP II's predecessor-in-interest ("Original OPA"). "OPA" as used herein shall mean the Original OPA, as amended;

WHEREAS, since the date of the Second Amendment to the OPA, the City has imposed certain requirements on SP II to develop public infrastructure and improvements (collectively, the "Facilities") in relation to the redevelopment of the Site (as defined in the OPA). The Facilities are defined in the Fourth Amendment;

WHEREAS, due to the extraordinary and substantial project costs related to the Facilities, which are required by the City as a condition of entitlement, the redevelopment of the Site as contemplated under the OPA would not be feasible in the absence of SP II's agreement to initially pay or cause the payment of such costs and Commission's agreement to reimburse a portion of such costs, as specified and subject to the limitations set forth in the Fourth Amendment and related agreements;

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ATTACHMENT 5
PAGE 1 OF 4

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 Facilities to be installed and constructed;

WHEREAS, since there are no other reasonable means available to the City to fully finance the Facilities, the Commission proposes to reimburse all or part of the cost of the installation and construction of the Facilities, as more particularly set forth in the Fourth Amendment and related agreements;

WHEREAS, the Commission's agreement to reimburse all or part of the cost of the installation and construction of the Facilities, as more particularly set forth in the Fourth Amendment and related agreements, constitutes an indebtedness of the Commission for the purpose of carrying out the redevelopment for the Project Area;

WHEREAS, the Facilities of benefit to the Project Area and the immediate neighborhood in which the Facilities are located; and

WHEREAS, Addendum No. 5 to the RiverPark Project Final Environmental Impact Report ("Addendum") states that the impacts of the Specific Plan project are unchanged due to the proposed modified project not creating any change in the Specific Plan size, land uses, or intensity of the development; 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 hereby approves and adopts the Addendum.

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

a. The Facilities are of benefit to the Project Area and the immediate neighborhood in which the Facilities are located. This finding is based, in part, on the fact that five major goals of the City contained in the Implementation Plan include: (1) development of underdeveloped or poorly developed areas; (2) elimination and prevention of the spread of blight and deterioration; (3) strengthening the economic base of the Project Areas by installation of needed improvements; (4) elimination or mitigation certain environmental deficiencies such as insufficient off-street and on-street parking and other similar public improvements, facilities and utility deficiencies that adversely affect the Project Areas; and (5) promotion of private sector investment within the Project Areas. The installation and construction of the Facilities assist in obtaining these goals. Moreover, two of the programs undertaken pursuant to the Implementation Plan to facilitate the achievement of these goals is a Public Facilities program

which includes urban design improvements, public utilities, and street construction and the Business Revitalization program which includes business retention/attraction. 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 and commercial revitalization activities provide for recruitment of new businesses. The relationship between specific activities and blight elimination in the Project Area is summarized in Table 11 of the Implementation Plan. The Facilities assist in obtaining the goals listed in the Implementation 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 Facilities are available to the City. This finding is based, in part, on the fact that the City itself is not in a position to fully finance the installation and construction of the Facilities. 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. 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. 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 Facilities 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 finding is based, in part, on the fact that as discussed above in Section 3.a., the Facilities assist in obtaining the goals listed in the Implementation Plan, are consistent with the Implementation Plan and will assist in the elimination of one or more blighting conditions in the Project Area.

d. The City Council hereby consents to the payment by the Commission of all or part of the cost of the installation and construction of the Facilities, as more particularly set forth in the Fourth Amendment and related agreements. The provision of the Facilities and the Commission's agreement to reimburse a portion of the costs of the Facilities is necessary for carrying out in the Project Area the Redevelopment Plan for the Project Area and is necessary to effectuate the purposes of such Redevelopment Plan.

4. 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
City Clerk

APPROVED AS TO FORM:

Gary L. Gillig
City Attorney

OXNARD COMMUNITY DEVELOPMENT COMMISSION

RESOLUTION NO. _____

A RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION AGREEING TO REIMBURSE CERTAIN COSTS RELATED TO PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AND MAKING CERTAIN DETERMINATIONS AND FINDINGS

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 and Shea Properties II, LLC, a Delaware limited liability company (“SP II”), have negotiated that certain Fourth Amendment to Owner Participation Agreement (“Fourth Amendment”), which amends that certain Owner Participation Agreement dated as of June 12, 2001 entered into by and between the Commission and RiverPark A, a Delaware limited liability company, SP II’s predecessor-in-interest (“Original OPA”). “OPA” as used herein shall mean the Original OPA, as amended;

WHEREAS, since the date of the Second Amendment to the OPA, the City has imposed certain requirements on SP II to develop public infrastructure and improvements (collectively, the “Facilities”) in relation to the redevelopment of the Site (as defined in the OPA). The Facilities are defined in the Fourth Amendment;

WHEREAS, due to the extraordinary and substantial project costs related to the Facilities, which are required by the City as a condition of entitlement, the redevelopment of the Site as contemplated under the OPA would not be feasible in the absence of SP II’s agreement to initially pay or cause the payment of such costs and Commission’s agreement to reimburse a portion of such costs, as specified and subject to the limitations set forth in the Fourth Amendment and related agreements;

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ATTACHMENT 6
PAGE 1 OF 4

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 Facilities to be installed and constructed;

WHEREAS, since there are no other reasonable means available to the City to fully finance the Facilities, the Commission proposes to reimburse all or part of the cost of the installation and construction of the Facilities, as more particularly set forth in the Fourth Amendment and related agreements;

WHEREAS, the Commission's agreement to reimburse all or part of the cost of the installation and construction of the Facilities, as more particularly set forth in the Fourth Amendment and related agreements, constitutes an indebtedness of the Commission for the purpose of carrying out the redevelopment for the Project Area;

WHEREAS, the Facilities of benefit to the Project Area and the immediate neighborhood in which the Facilities are located; and

WHEREAS, Addendum No. 5 to the RiverPark Project Final Environmental Impact Report ("Addendum") states that the impacts of the Specific Plan project are unchanged due to the proposed modified project not creating any change in the Specific Plan size, land uses, or intensity of the development; 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 hereby approves and adopts the Addendum.
3. Based on substantial evidence in the record, the Commission hereby finds and determines that:

a. The Facilities are of benefit to the Project Area and the immediate neighborhood in which the Facilities are located. This finding is based, in part, on the fact that five major goals of the City contained in the Implementation Plan include: (1) development of underdeveloped or poorly developed areas; (2) elimination and prevention of the spread of blight and deterioration; (3) strengthening the economic base of the Project Areas by installation of needed improvements; (4) elimination or mitigation certain environmental deficiencies such as insufficient off-street and on-street parking and other similar public improvements, facilities and utility deficiencies that adversely affect the Project Areas; and (5) promotion of private sector investment within the Project Areas. The installation and construction of the Facilities assist in obtaining these goals. Moreover, two of the programs undertaken pursuant to the Implementation Plan to facilitate the achievement of these goals is a Public Facilities program

which includes urban design improvements, public utilities, and street construction and the Business Revitalization program which includes business retention/attraction. 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 and commercial revitalization activities provide for recruitment of new businesses. The relationship between specific activities and blight elimination in the Project Area is summarized in Table 11 of the Implementation Plan. The Facilities assist in obtaining the goals listed in the Implementation 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 Facilities are available to the City. This finding is based, in part, on the fact that the City itself is not in a position to fully finance the installation and construction of the Facilities. 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. 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. 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 Facilities 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 finding is based, in part, on the fact that as discussed above in Section 3.a., the Facilities assist in obtaining the goals listed in the Implementation Plan, are consistent with the Implementation Plan and will assist in the elimination of one or more blighting conditions in the Project Area.

d. The provision of the Facilities and the Commission's agreement to reimburse a portion of the costs of the Facilities is necessary for carrying out in the Project Area the Redevelopment Plan for the Project Area and is necessary to effectuate the purposes of such Redevelopment Plan.

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

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

AYES:
NOES:
ABSENT:
ABSTAIN:

OXNARD COMMUNITY DEVELOPMENT
COMMISSION

Dr. Thomas E. Holden
Chairperson

ATTEST:

Daniel Martinez
Secretary Designate

APPROVED AS TO FORM:

Gary L. Gillig
General Counsel