



Meeting Date: 07/22/08

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: Raymond Williams, Project Manager *RW* Agenda Item No. I-16
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Public Works *[Signature]*

DATE: July 14, 2008

TO: City Council
Community Development Commission

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

Lou Balderrama, City Engineer *[Signature]*
Public Works Department

SUBJECT: PW06-15 Rose Park Neighborhood Resurfacing Project, Located in the Historic Enhancement and Revitalization Project Area ("HERO")

RECOMMENDATION

That City Council:

- (1) Approve Project Specification No. PW06-15 (Rose Park Neighborhood Resurfacing Project) for pavement resurfacing, sidewalk, curb and gutter repair, and replace street name signs throughout the Rose Park Neighborhood bounded by Rose Avenue and Camino Del Sol.
- (2) Approve and adopt the attached Resolution entitled "A Resolution of the City Council of the City of Oxnard, California, Consenting to the Payment or Reimbursement by the Oxnard Community Development Commission of All Costs Related to Certain Public Improvements in the HERO Project Area, Agreeing to Administer and Expend Funds on Behalf of the Commission and Making Certain Determinations and Findings (Roadway Reconstruction Project)."
- (3) Approve a special budget appropriation of \$1,581,159 from the HERO Streets Projects No. 078701 to the HERO Rose Park Neighborhood Resurfacing Project No. 063111.

That Community Development Commission ("Commission"):

Approve and adopt the attached Resolution entitled "A Resolution of the Oxnard Community Development Commission Agreeing to Pay or Reimburse All Costs Related to Certain Public Improvements in the HERO Project Area, Authorizing the City to Administer and Expend Funds on Behalf of the Commission, and Making Certain Determinations and Findings (Roadway Reconstruction Project)."

DISCUSSION

The specific work includes the furnishing of all materials, tools, equipment, and labor required to make necessary repairs to sidewalk, curbs, gutters and other concrete structures, pavement resurfacing, traffic markings, and install new street name signs.

In November 2006, the City and Commission authorized the sale, issuance, and delivery of the Oxnard Community Development Commission Historic Enhancement and Revitalization of Oxnard (HERO) Project Area Tax Allocation Bonds, Series 2006 ("Bonds"). Pursuant to Section 33445 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*), the Commission may, with the consent of the City Council of the City of Oxnard, 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. The Commission desires to use some or all of the proceeds of the Bonds and other funds of the Commission as may be necessary for the installation and construction of certain public streets and roadways within the HERO Project Area. Due to expertise of City staff, the Commission desires for the City to administer and expend, on behalf of the Commission, the Commission's funds in connection with the installation and construction of the street improvements. The proposed project is only one subarea of the street improvements discussed and authorized in the attached City and Commission Resolutions.

FINANCIAL IMPACT

The engineer's estimated cost for the project, which includes design, material testing, construction inspection, project management, administration, construction engineering, and construction, is \$1,581,159. There are sufficient funds in the HERO Street Projects - Project No. 078701 for the estimated cost of this project. Staff believes that separate project numbers for the street resurfacing projects under HERO will provide each project with greater financial accounting controls. Therefore, staff recommends a special budget appropriation of \$1,581,159 from the HERO Street Projects No. 078701 to the HERO Rose Park Neighborhood Resurfacing Project No. 063111.

Attachment #1 - PW06-15 Rose Park Neighborhood Resurfacing Project Estimate

#2 - Project Site Map

#3 - City Council Resolution entitled "A Resolution of the City Council of the City of Oxnard, California, consenting to the payment or reimbursement by the Oxnard Community Development Commission of all costs related to certain public improvements in the Historic Enhancement and Revitalization of Oxnard (HERO) Project Area, agreeing to administer and expend funds on behalf of the Commission and making certain determinations and findings (Roadway Reconstruction Project)."

#4 Commission Resolution entitled "A Resolution of the Oxnard Community Development Commission agreeing to pay or reimburse all costs related to certain public improvements in the Historic Enhancement and Revitalization of Oxnard (HERO) Project Area, authorizing the City to administer and expend funds on behalf of the Commission, and making certain determinations and findings (Roadway Reconstruction Project)."

#5 - Special Budget Appropriation

Note: Plans and specifications for PW07-22 Rose Park Neighborhood Resurfacing Project available for review at the Capital Improvement Projects Management Office located at 1060 Pacific Avenue, Building #2 after 8:00 a.m. on Friday prior to the City Council meeting.

**CITY OF OXNARD
CAPITAL IMPROVEMENT PROJECT ESTIMATE**

Project Title: Rose Park Resurfacing Project Specification No: PW06-15

Account No: _____ Project No. _____ Project Manager: R Williams

	Original Estimate Amount	Revised Estimate Amount	Actual Cost
I. EXTERNAL SERVICES			
A. Architectural/ Engineering (8201)	_____	_____	_____
1. Preliminary Feasibility	_____	_____	_____
2. Design or Construction	_____	_____	_____
3. Specification/Cost Estimate	_____	_____	_____
B. Planning/EIR Services (8206)	_____	_____	_____
C. Real Estate Services (8207)	_____	_____	_____
D. Construction Services (8208)	_____	_____	_____
1. Surveys	_____	_____	_____
2. Soils Analysis	5,000	_____	_____
3. Inspection	12,082	_____	_____
4. Testing	5,000	_____	_____
5. Atlas Fees	_____	_____	_____
6. Plans and Records	_____	_____	_____
7. Misc. (postage, reproductions, etc.)	_____	_____	_____
Total External Services	\$ 155,570	_____	_____
II. INTERNAL SERVICES			
A. Design Engineering (8451)	2,000	_____	_____
B. Inspection (8451)	24,782	_____	_____
C. Survey (8451)	2,000	_____	_____
D. Contract Administration (8451)	5,000	_____	_____
E. Contract Procurement (8451)*	4,000	4,000	4,000
Total Internal Services	\$ 37,782	\$ 4,000	\$ 4,000
III. CONSTRUCTION/ACQUISITION			
<i>Funding for items in this section must be in place before contract is awarded</i>			
A. Land, Easements and Rights-of-Way (8601)	_____	_____	_____
B. Buildings:	_____	_____	_____
8602-New	_____	_____	_____
8603-Major Repair	_____	_____	_____
C. Improvements other than Buildings	_____	_____	_____
8604-New	_____	_____	_____
8605-Major Repair	1,239,113	_____	_____
D. Machinery/Equipment (8606/8607)	_____	_____	_____
Total Construction/Acquisition	\$ 1,239,113	_____	_____
IV. OTHER PROJECT COSTS:			
A. Project Contingencies (8802)	123,911	_____	_____
B. CIP Indirect Cost (2.% of total construction costs)	24,782	_____	_____
Total Other Costs	\$ 148,694	_____	_____

Project Total **\$ 1,581,159**

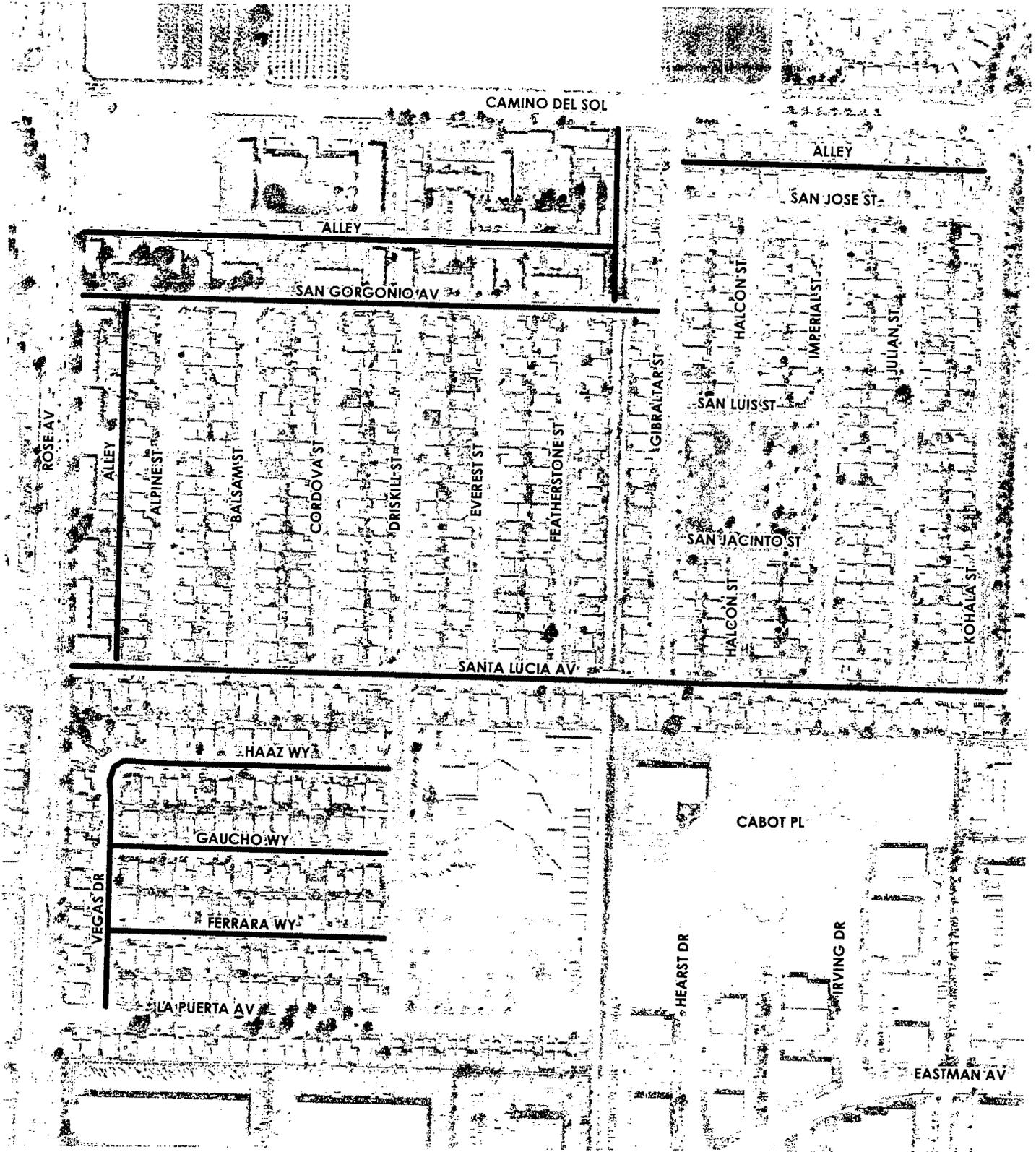
Total Appropriation \$ 1,581,159
 Less: Encumbrances & Expenditures 155,570
 Balance Available **\$ 1,425,589**

***NOTICE**

Request for this estimate authorizes the transfer of the amount of the estimate to the EIR project file at the City of Oxnard. For more information call (805) 451-5537 or visit our website at www.ci.oxnard.ca.gov

Prepared by: R. Williams *RW*
 Date: June 24, 2008
 Approved by: *LBA*
 Date: _____

Rose Park Residential Resurfacing



Legend

- Cape Seal *Capa de asfalto*
- Reconstruction *Reconstrucción*

000084

CITY OF OXNARD, CALIFORNIA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, CONSENTING TO THE PAYMENT OR REIMBURSEMENT BY THE OXNARD COMMUNITY DEVELOPMENT COMMISSION OF ALL COSTS RELATED TO CERTAIN PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AREA, AGREEING TO ADMINISTER AND EXPEND FUNDS ON BEHALF OF THE COMMISSION, AND MAKING CERTAIN DETERMINATIONS AND FINDINGS (ROADWAY RECONSTRUCTION PROJECT)

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

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"); and

WHEREAS, in November 2006, the City of Oxnard ("City") and Commission authorized the sale, issuance, and delivery of the Oxnard Community Development Commission Historic Enhancement and Revitalization of Oxnard Project Area Tax Allocation Bonds, Series 2006 ("Bonds"); and

WHEREAS, pursuant to Section 33445 of the CRL, the Commission may, with the consent of the City Council ("City Council") of the 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; and

WHEREAS, the Commission desires to use some or all of the proceeds of the Bonds and other funds of the Commission as may be necessary for the installation and construction of certain public streets and roadways within the Project Area (collectively, the "Public Improvements"). The Public Improvements are currently anticipated to be installed and constructed in three subareas of the Project Area - Blackstock North, Rose Park, and Saviers Road. Attached hereto as Exhibit A and incorporated herein by reference are three spreadsheets (one for each subarea) showing street improvements which are anticipated to be part of the Public Improvements. The Public Improvements may include some or all of the street improvements listed on Exhibit A or other nearby or adjacent street improvements as determined by the Executive Director or designee; and

WHEREAS, due to expertise of City staff, the Commission desires for the City to administer and expend, on behalf of the Commission, the Commission's funds in connection with the installation and construction of the Public Improvements; and

WHEREAS, the City agrees to administer and expend, on behalf of the Commission, the Commission's funds in connection with the installation and construction of the Public Improvements; and

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 Improvements to be installed and constructed; and

WHEREAS, because there are no other reasonable means available to the City to fully finance the Public Improvements, the Commission proposes to pay or reimburse all of the value of the land for and the cost of the installation and construction of the Public Improvements, as more particularly set forth in this Resolution; and

WHEREAS, the Public Improvements are of benefit to the Project Area and the immediate neighborhood in which the Public Improvements are 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. Based on substantial evidence in the record, the City Council hereby finds and determines that:

a. The Public Improvements are of benefit to the Project Area and the immediate neighborhood in which the Public Improvements 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 Area; and (5) promotion of private sector investment within the Project Area. The installation and construction of the Public Improvements 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 Public Improvements 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 Public Improvements are available to the City. This finding is based, in part, on the fact that the City is not in a position to fully finance the installation and construction of the Public Improvements. 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, 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 Public Improvements 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 2.a., the Public Improvements 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 Public Improvements and the Commission's agreement to pay or reimburse all of the value of the land for and the costs of the installation and construction of the Public Improvements are necessary for carrying out in the Project Area the Redevelopment Plan and is necessary to effectuate the purposes of such Redevelopment Plan.

3. The City Council hereby consents to the Commission's payment or reimbursement of all of the value of the land for and the costs of the installation and construction of the Public Improvements in accordance with procedures acceptable to the Executive Director of the Commission, the Community Development Director, or either of their respective designees.

4. The City Council hereby agrees to administer and expend, on behalf of the Commission, the Commission's funds (including proceeds of the Bonds or other funds of the Commission) in connection with the installation and construction of the Public Improvements.

5. The City Council hereby authorizes the Mayor, the City Manager, the Community Development Director, the City Engineer, or any of their respective designees, on behalf of the City, to sign all documents and negotiate and enter into any agreements necessary and appropriate to carry out and implement this Resolution, and to administer the City's obligations, responsibilities and duties to be performed hereunder.

6. In contemplation of the provisions of California Government Code section 895.2 imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined by Government Code section 895, the City and Commission, as between themselves, pursuant to the authorization contained in Government Code sections 895.4 and 895.6, shall each assume the full liability imposed upon it, or any of its officers, agents or employees, by law for injury caused by negligent or wrongful acts or omissions occurring in the performance of this Resolution to the same extent that such liability would be imposed in the absence of Government Code section 895.2. To achieve the above-stated purpose, the City agrees to indemnify, defend and hold harmless the Commission for any liability, loss, cost or expense that may be incurred by the Commission solely by reason of Government Code section 895.2.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

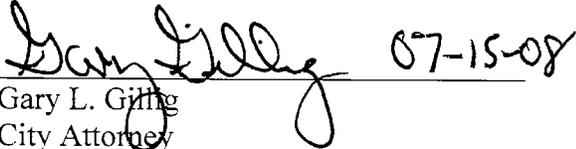
CITY OF OXNARD

Dr. Thomas E. Holden
Mayor

ATTEST:

Daniel Martinez
City Clerk

APPROVED AS TO FORM:

 07-15-08

Gary L. Gilling
City Attorney

EXHIBIT A

Proposed HERO (Rose Park) Roadway Reconstruction Project (PW 06-15)

Estimated Project Costs - 5 October 2005
 Project Manager:

Brad Starr
 Streets and Waterways Division
 1080 Pacific Ave., Bldg. #2
 Ph: (805) 385-8063

Name	From	To	Lanes	Length	Width	Area	Units	SURFACE	Work Description	Useful Life
FERRARA WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
GAUCHO WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
HAAZ WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
SAN GORGONIA AV ALLEY N/O	ROSE AV	ROSE AV ALLEY	2	1,680.00	25	95100	Sqft	AC	Reconstruction	30 Years
SAN JOSE ST ALLEY N/O	GIBRALTAR ST	KOMALA ST	2	828	20	16560	Sqft	AC	Reconstruction	30 Years
Concrete C/C				4,863.00			Lf		Reconstruction	30 Years
Concrete Sidewalk				4,863.00			Sqft		Reconstruction	30 Years
Install ADA HC Ramp						12	EA		Reconstruction	30 Years

Planning Estimate Only:
 Contract Design @ 7%
 Contract Admin @ 3%
 PW Inspection @ 3%

Proposed HERO (Saviers Road) Roadway Reconstruction Project (PW 06-17)

Estimated Project Costs - 5 October 2005

Project Manager:
 Brad Starr
 Streets and Waterways Division
 1080 Pacific Ave., Bldg. #2
 PH: (805) 385-8083

Debt Service Estimate =

Name	From	To	Lanes	Length	Width	Area	Units	SURFACE/Work Description	Useful Life
SAVIERS RD N/B	PLEASANT VALLEY RD	YUCCA ST	2	4,100.00	34	139400	SqFt	Reconstruction	30 Years
SAVIERS RD N/B	YUCCA ST	CHANNEL ISLANDS BL	3	2,700.00	36	97200	SqFt	Reconstruction	30 Years
SAVIERS RD S/B	WOOLEY ROAD	CHANNEL ISLANDS BL	3	6,800.00	36	244800	SqFt	Reconstruction	30 Years
SAVIERS RD S/B	CHANNEL ISLANDS BL	YUCCA ST	3	2,700.00	32	86400	SqFt	Reconstruction	30 Years
SAVIERS RD S/B	YUCCA ST	PLEASANT VALLEY RD	2	4,100.00	36	147600	SqFt	Reconstruction	30 Years
SAVIERS RD S/B	WOOLEY ROAD	CHANNEL ISLANDS BL	2	6,800.00	36	244800	SqFt	Reconstruction	30 Years
Concrete C/G				27,200.00			LF	Reconstruction	30 Years
Concrete Sidewalk				27,200.00			SqFt	Reconstruction	30 Years
Initial ADA HC Ramp						20	EA	Reconstruction	30 Years

Plumbing Estimate Only:
 Contract Design @ 7%
 Contract Admin @ 3%
 PW Inspection @ 3%

000090

Proposed HERO (Blackstock North) Roadway Reconstruction Project (PW 06-13)

Estimated Project Costs - 5 October 2005

Project Manager:
 Brad Stair
 Streets and Waterways Division
 1080 Pacific Ave., Bldg. #2
 Ph: (805) 395-8063

Debt Service Estimate =

Name	From	To	Length	Width	Area	Units	SURFACE	Work Description	Useful Life
FOURNIER ST	CHANNEL ISLANDS BL	SEQUOIA ST	1,028.00	40	41160	SqFt	AC	Reconstruction	30 Years
FRANK AV	SAMUEL AV	HUGHES DR	845	35	29575	SqFt	AC	Reconstruction	30 Years
HUGHES DR	SAMUEL AV	LARK ST	1,995.00	40	63800	SqFt	AC	Reconstruction	30 Years
JAMES AV	SAMUEL AV	CLOWNE ST	1,200.00	38	43200	SqFt	AC	Reconstruction	30 Years
LARK ST	330W CIRCLE DR	CIRCLE DR	350	40	13200	SqFt	AC	Reconstruction	30 Years
McMILLAN AV	SAVIERS RD	330W CIRCLE DR	1,665.00	40	66600	SqFt	AC	Reconstruction	30 Years
PAULA ST	SAMUEL AV	CLOWNE ST	1,225.00	36	44106	SqFt	AC	Reconstruction	30 Years
THOMAS AV	CHANNEL ISLANDS BL	TAMARAC ST	1,770.00	40	70800	SqFt	AC	Reconstruction	30 Years
CLINTON CR ALLEY N/O	SAVIERS RD	E END	1,665.00	40	66200	SqFt	AC	Reconstruction	30 Years
CLINTON CR ALLEY N/O	CLINTON ST	SYCAMORE ST ALLEY	160	20	3200	SqFt	AC	Reconstruction	30 Years
CLINTON CR ALLEY E/O	PAULA ST	SYCAMORE ST ALLEY	260	20	5200	SqFt	AC	Reconstruction	30 Years
FOURNIER ST ALLEY E/O	SYCAMORE ST	TAMARAC ST	400	20	8000	SqFt	AC	Reconstruction	30 Years
LARK ST ALLEY N/O	CHANNEL ISLANDS BL	TAMARAC ST	1,760.00	20	35000	SqFt	AC	Reconstruction	30 Years
LARK ST ALLEY N/O	150E CLOWNE ST	CIRCLE DR	320	20	6400	SqFt	AC	Reconstruction	30 Years
PAULA CR ALLEY N/O	SAMUEL AV	CLOWNE ST	1,180.00	20	23600	SqFt	AC	Reconstruction	30 Years
PAULA ST ALLEY E/O	PAULA ST	SYCAMORE ALLEY E/O	160	20	3200	SqFt	AC	Reconstruction	30 Years
SYCAMORE ST ALLEY E/O	CLINTON ST	TAMARAC ST	1,080.00	20	21600	SqFt	AC	Reconstruction	30 Years
SYCAMORE ST ALLEY N/O	CHANNEL ISLANDS BL	LA CANADA AV ALLEY	1,980.00	20	39600	SqFt	AC	Reconstruction	30 Years
Concrete C&G	CLINTON ST	SYCAMORE ST ALLEY	280	20	5600	LF		Reconstruction	30 Years
Concrete Sidewalk			29,673.00			SqFt		Reconstruction	30 Years
Install ADA HC Ramp			29,673.00		20	EA		Reconstruction	30 Years

Planning Estimate Only
 Contract Design @ 7%
 Contract Admin @ 3%
 PM Inspection @ 3%

000091

OXNARD COMMUNITY DEVELOPMENT COMMISSION

RESOLUTION NO. _____

A RESOLUTION OF THE OXNARD COMMUNITY DEVELOPMENT COMMISSION AGREEING TO PAY OR REIMBURSE ALL COSTS RELATED TO CERTAIN PUBLIC IMPROVEMENTS IN THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD (HERO) PROJECT AREA, AUTHORIZING THE CITY TO ADMINISTER AND EXPEND FUNDS ON BEHALF OF THE COMMISSION, AND MAKING CERTAIN DETERMINATIONS AND FINDINGS (ROADWAY RECONSTRUCTION PROJECT)

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

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"); and

WHEREAS, in November 2006, the City and Commission authorized the sale, issuance, and delivery of the Oxnard Community Development Commission Historic Enhancement and Revitalization of Oxnard Project Area Tax Allocation Bonds, Series 2006 ("Bonds"); and

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; and

WHEREAS, the Commission desires to use some or all of the proceeds of the Bonds and other funds of the Commission as may be necessary for the installation and construction of certain public streets and roadways within the Project Area (collectively, the "Public Improvements"). The Public Improvements are currently anticipated to be installed and constructed in three subareas of the Project Area - Blackstock North, Rose Park, and Saviers Road. Attached hereto as Exhibit A and incorporated herein by reference are three spreadsheets (one for each subarea) showing street improvements which are anticipated to be part of the Public Improvements. The Public Improvements may include some or all of the street improvements listed on Exhibit A or other nearby or adjacent street improvements as determined by the Executive Director or designee; and

WHEREAS, due to expertise of City staff, the Commission desires for the City to administer and expend, on behalf of the Commission, the Commission's funds in connection with the installation and construction of the Public Improvements; and

WHEREAS, the City Council agrees to administer and expend, on behalf of the Commission, the Commission's funds in connection with the installation and construction of the Public Improvements; and

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 Improvements to be installed and constructed; and

WHEREAS, because there are no other reasonable means available to the City to fully finance the Public Improvements, the Commission proposes to pay or reimburse all of the value of the land for and the cost of the installation and construction of the Public Improvements, as more particularly set forth in this Resolution; and

WHEREAS, the Public Improvements are of benefit to the Project Area and the immediate neighborhood in which the Public Improvements are 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. Based on substantial evidence in the record, the Commission hereby finds and determines that:

a. The Public Improvements are of benefit to the Project Area and the immediate neighborhood in which the Public Improvements 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 Area; and (5) promotion of private sector investment within the Project Area. The installation and construction of the Public Improvements 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 Public Improvements 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 Public Improvements are available to the City. This finding is based, in part, on the fact that the City is not in a position to fully finance the installation and construction of the Public Improvements. 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, 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 Public Improvements 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 2.a., the Public Improvements 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 Public Improvements and the Commission's agreement to pay or reimburse all of the value of the land for and the costs of the installation and construction of the Public Improvements are necessary for carrying out in the Project Area the Redevelopment Plan and is necessary to effectuate the purposes of such Redevelopment Plan.

3. The Commission hereby agrees to pay or reimburse all of the value of the land for and the costs of the installation and construction of the Public Improvements in accordance with procedures acceptable to the Executive Director of the Commission, the Community Development Director, or either of their respective designees.

4. The Commission hereby agrees that the City may administer and expend, on behalf of the Commission, the Commission's funds (including proceeds of the Bonds or other funds of the Commission) in connection with the installation and construction of the Public Improvements.

5. The Commission hereby authorizes the Chairman of the Commission, the Executive Director of the Commission, the Community Development Director, the City Engineer, or any of their respective designees, on behalf of the Commission, to sign all documents and negotiate and enter into any agreements necessary and appropriate to carry out and implement this Resolution, and to administer the Commission's obligations, responsibilities and duties to be performed hereunder.

6. In contemplation of the provisions of California Government Code section 895.2 imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined by Government Code section 895, the City and Commission, as between themselves, pursuant to the authorization contained in Government Code sections 895.4 and 895.6, shall each assume the full liability imposed upon it, or any of its officers, agents or employees, by law for injury caused by negligent or wrongful acts or omissions occurring in the performance of this Resolution to the same extent that such liability would be imposed in the absence of Government Code section 895.2. To achieve the above-stated purpose, the Commission agrees to indemnify, defend and hold harmless the City for any liability, loss, cost or expense that may be incurred by the City solely by reason of Government Code section 895.2.

7. The Commission's obligation under this Resolution shall constitute an indebtedness of the Commission for the purpose of carrying out the redevelopment project for the Project Area.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008, 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:

 07-15-08

Gary L. Gillig
General Counsel

EXHIBIT A

Proposed HERO (Rose Park) Roadway Reconstruction Project (PW 06-16)

Estimated Project Costs - 5 October 2005

Project Manager:

Brad Starr
 Streets and Waterways Division
 1080 Pacific Ave., Bldg. #2
 PH: (605) 385-8063

Name	From	To	Lanes	Length	Width	Area	Units	SURFACE	Work Description	Useful Life
FERRARA WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
GAUCHO WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
HAAZ WY	VEGAS DR	DRISKILL ST	2	785	37	29045	Sqft	AC	Reconstruction	30 Years
SAN GORGONIA AV ALLEY N/O	ROSE AV	ROSE AV ALLEY	2	1,680.00	25	36100	Sqft	AC	Reconstruction	30 Years
SAN JOSE ST ALLEY N/O	GIBRALTAR ST	KOHALA ST	2	828	20	16560	Sqft	AC	Reconstruction	30 Years
Concrete CIG				4,883.00			LF		Reconstruction	30 Years
Concrete Sidewalk				4,883.00			Sqft		Reconstruction	30 Years
Install ADA HC Ramp						12	EA		Reconstruction	30 Years

Planning Estimate Only:
 Contract Design @ 7%
 Contract Admin @ 3%
 PW Inspection @ 3%

Proposed HERO (Saviors Road) Roadway Reconstruction Project (PW 06-17)

Estimated Project Costs - 5 October 2005
 Project Manager:

Brad Stair
 Streets and Waterways Division
 1080 Pacific Ave., Bldg. #2
 Ph: (805) 385-8063

Debt Service Estimate =

Name	From	To	Lanes	Length	Width	Area	Units	SURFACE	Work Description	Useful Life
SAVIERS RD N/B	PLEASANT VALLEY RD	YUCCA ST	2	4,100.00	34	139400	SqFt	AC	Reconstruction	30 Years
SAVIERS RD N/B	YUCCA ST	CHANNEL ISLANDS BL	3	2,700.00	36	97200	SqFt	AC	Reconstruction	30 Years
SAVIERS RD N/B	WOOLEY ROAD	CHANNEL ISLANDS BL	3	6,800.00	36	244800	SqFt	AC	Reconstruction	30 Years
SAVIERS RD S/B	CHANNEL ISLANDS BL	YUCCA ST	3	2,700.00	32	86400	SqFt	AC	Reconstruction	30 Years
SAVIERS RD S/B	YUCCA ST	PLEASANT VALLEY RD	2	4,100.00	36	147600	SqFt	AC	Reconstruction	30 Years
SAVIERS RD S/B	WOOLEY ROAD	CHANNEL ISLANDS BL	2	6,800.00	36	244800	SqFt	AC	Reconstruction	30 Years
Concrete C/G				27,200.00			LF		Reconstruction	30 Years
Concrete Sidewalk				27,200.00			SqFt		Reconstruction	30 Years
Initial ADA HC Ramp						20	EA		Reconstruction	30 Years

Planning Estimate Only
 Contract Design @ 7%
 Contract Admin @ 3%
 PW Inspection @ 3%

Proposed HERO (Blackstock North) Roadway Reconstruction Project (PW 06-13)

Estimated Project Costs - 5 October 2005

Project Manager: Brad Starr

Streets and Waterways Division

1080 Pacific Ave., Bldg. #2

Ph: (805) 385-8063

Debt Service Estimate =

Name	From	To	Lanes	Length	Width	Area	Units	SURFACE	Work Description	Useful Life
FOURNIER ST	CHANNEL ISLANDS BL	SEQUOIA ST	2	1,028.00	40	41,160	SqFt	AC	Reconstruction	30 Years
FRANK AV	SAMUEL AV	HUGHES DR	2	845	35	29,575	SqFt	AC	Reconstruction	30 Years
HUGHES DR	SAMUEL AV	LARK ST	2	1,695.00	40	63,800	SqFt	AC	Reconstruction	30 Years
JAMES AV	SAMUEL AV	CLOYNE ST	2	1,200.00	38	43,200	SqFt	AC	Reconstruction	30 Years
LARK ST	330W CIRCLE DR	CIRCLE DR	2	330	40	13,200	SqFt	AC	Reconstruction	30 Years
MCMILLAN AV	SAVIERS RD	330W CIRCLE DR	2	1,665.00	40	66,600	SqFt	AC	Reconstruction	30 Years
PALKA ST	SAMUEL AV	CLOYNE ST	2	1,225.00	26	44,100	SqFt	AC	Reconstruction	30 Years
THOMAS AV	CHANNEL ISLANDS BL	TAMARAC ST	2	1,770.00	40	70,800	SqFt	AC	Reconstruction	30 Years
CLINTON CR ALLEY N/O	SAVIERS RD	E END	2	1,955.00	40	78,200	SqFt	AC	Reconstruction	30 Years
CLINTON CR ALLEY N/O	CLINTON ST	SYCAMORE ST ALLEY	2	160	20	3,200	SqFt	AC	Reconstruction	30 Years
FOURNIER ST ALLEY E/O	PAULA ST	SYCAMORE ST ALLEY	2	260	20	5,200	SqFt	AC	Reconstruction	30 Years
LARK ST ALLEY N/O	SYCAMORE ST	TAMARAC ST	2	400	20	8,000	SqFt	AC	Reconstruction	30 Years
LARK ST ALLEY N/O	CHANNEL ISLANDS BL	TAMARAC ST	2	1,750.00	20	35,000	SqFt	AC	Reconstruction	30 Years
PAULA CR ALLEY N/O	150W CLOYNE ST	CIRCLE DR	2	320	20	6,400	SqFt	AC	Reconstruction	30 Years
PAULA ST ALLEY E/O	SAMUEL AV	CLOYNE ST	2	1,180.00	20	23,600	SqFt	AC	Reconstruction	30 Years
SYCAMORE ST ALLEY E/O	CLINTON ST	SYCAMORE ALLEY E/O	2	160	20	3,200	SqFt	AC	Reconstruction	30 Years
SYCAMORE ST ALLEY N/O	CHANNEL ISLANDS BL	TAMARAC ST	2	1,080.00	20	21,600	SqFt	AC	Reconstruction	30 Years
Concrete C/G	CLINTON ST	LA CANADA AV ALLEY	2	1,980.00	20	39,600	SqFt	AC	Reconstruction	30 Years
Concrete Sidewalk	CLINTON ST	SYCAMORE ST ALLEY	2	280	20	5,600	SqFt	AC	Reconstruction	30 Years
Install ADA HC Ramp				29,673.00			LF		Reconstruction	30 Years
				29,673.00		20	EA		Reconstruction	30 Years

Planning Estimate Only

Contract Design @ 7%

Contract Admin @ 3%

PW Inspection @ 3%

CITY OF OXNARD

REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

July 22, 2008

Request is hereby made for an appropriation of total \$ 1,581,519

Reason for appropriation: Transfer from HERO Street Projects to HERO Rose Park Resurfacing Project
to provide for greater financial accounting control.

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
HERO Project Area Fund (405)	HERO Project Revelopment (Project No. 078701) 405-8751	
	826-8605 - Improvement Not Buidling - Major Repairs	(1,581,159)
	HERO Rose Park Neighborhood Resurfacing (Project No. 063111) 405-8751	
	826-8605 - Improvement Not Buidling - Major Repairs	<u>1,581,159</u>
	Net Estimated Change to HERO Project Area Fund Balance	<u><u>-0-</u></u>



Manager

REQUIRES CITY COUNCIL APPROVAL

DIRECTOR OF FINANCE



Disposition

Approved _____

Rejected _____

Transfer by Journal Voucher _____

City Manager