



Meeting Date: 06/22/2010

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: Kymberly Horner *Kymberly Horner* Agenda Item No. I-3
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other N/A

DATE: May 21, 2010

TO: Community Development Commission

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

SUBJECT: Purchase and Sale Agreement and Joint Escrow Instructions for the Acquisition of a Single Story Commercial Building and Land Located at 321 West 6th Street (aka "Elizabeth's Furniture") for \$289,000.

RECOMMENDATION

That the Community Development Commission ("CDC"):

1. Approve and authorize the Chairman to execute a Purchase and Sale Agreement and Joint Escrow Instructions (A-7316) between the CDC and Oxnard Plaza Associates, LLC for a site consisting of approximately 2,750 square feet of land area with a 2,000 square foot single story commercial retail building, for \$289,000.
2. Authorize the Chairman, Executive Director, and Community Development Director, on behalf of the CDC, to each sign all documents necessary and appropriate to carry out and implement the Purchase and Sale Agreement and Joint Escrow Instructions, to administer the CDC's obligations, responsibilities, and duties to be performed as required and to make all non-substantive changes related to the Purchase and Sale Agreement and Joint Escrow Instructions.
3. Approve a special budget appropriation in the amount of \$320,000.

DISCUSSION

The CDC received an unsolicited proposal from the property's current owner, Oxnard Plaza Associates, LLC, to sell the subject property. The property consists of approximately 2,750 square feet of land and a single story retail building of approximately 2,000 square feet. The building fronts Sixth Street between south "C" Street and south "B" Street. The building was constructed in 1955, the property is currently zoned CBD.

As part of the on-going efforts by the CDC to acquire key property in downtown Oxnard, CDC staff has negotiated a Purchase and Sale Agreement for the acquisition of real property located at 321 West

Sixth Street (the "Property"), commonly known as the Elizabeth's Furniture building. The Property is currently occupied by a retail furniture business that is leasing the building on a month-to month basis. Subject to the determination of the tenant's intentions for continuation of their business, the lease may be assigned to CDC by the current owner and the tenant may be allowed to remain operating under the terms of the lease until CDC's plans for the site are solidified. CDC would have the ability to terminate the lease with 30 days notice.

Staff and the seller have negotiated a purchase price of \$289,000. Title and escrow fees are estimated to be \$20,000.

Section 33391(a) of Community Redevelopment Law grants CDC the authority to purchase real property. CDC desires to purchase the subject Property in order to further its goal of assembling property for the implementation of the downtown revitalization plan.

ENVIRONMENTAL APPROVALS

California Environmental Quality Act ("CEQA") Guidelines section 15061, subd. (b)(3), provides that an agency may dispense with CEQA review if, "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." Currently there will be no development or change in the land use and there will be no change in the intensity of the land use. Therefore we believe that the purchase of the Property is exempt from CEQA review.

FINANCIAL IMPACT

The total acquisition costs, including escrow and financing fees, are estimated to be approximately \$320,000, and will be funded from the Central City Revitalization Project Area ("CCRP") Fund Balance. Acquisition of this property and building by CDC will not have an impact to the City's General Fund.

Attachment #1 - Purchase and Sale Agreement and Joint Escrow Instructions
#2 - Special Budget Appropriation Form

Note: Attachment #1 has been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Friday prior to the Council meeting.

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

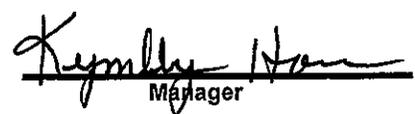
June 8, 2010

Request is hereby made for an appropriation of total

\$ 320,000

Reason for appropriation: Acquisition of Furniture Store Located at 321 West Sixth Street

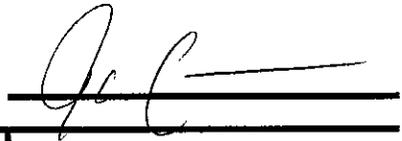
<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
CDC CCRP 401	CDC-CCRP 401-8201-869-8602 (Building-New)	320,000
	Net Estimated Change to CCRP Fund	<u>(320,000)</u>



 Manager

DOES NOT REQUIRE CITY COUNCIL APPROVAL

CHIEF FINANCIAL OFFICER



Disposition

Approved _____

Rejected _____

Transfer by Journal Voucher _____

 City Manager