

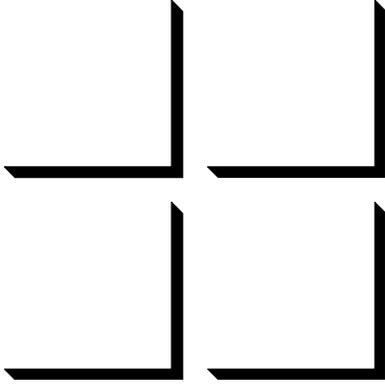
April 18, 2008

**DRAFT**  
**Plan for the Lodi Community  
Improvement Project**

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*REDEVELOPMENT AGENCY OF THE CITY OF LODI*





Adopted:  
Ordinance No.:

# **DRAFT**

# **Plan for the Lodi Community Im- provement Project**

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*REDEVELOPMENT AGENCY OF THE CITY OF LODI*

 GRC Redevelopment Consultants  
701 South Parker Street  
Suite 7400  
Orange, CA 92868



# DRAFT

## Plan for the Lodi Community Improvement Project

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# DRAFT

# Plan for the Lodi Community Improvement Project

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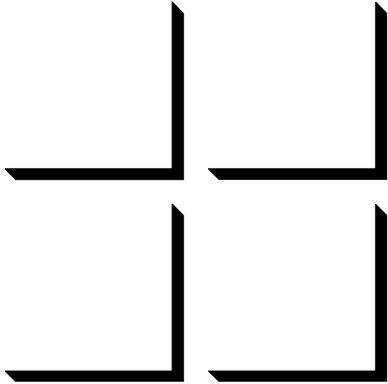
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<b>APPENDIX A:</b>	<b>Redevelopment Plan Map</b>
<b>APPENDIX B:</b>	<b>Project Area Legal Description</b>



## ***I. INTRODUCTION***

### ***A. (§100) BACKGROUND AND AUTHORITY***

This Redevelopment Plan for the Lodi Community Improvement Project (the “Project”) was prepared by the Redevelopment Agency for the City of Lodi (the “Agency”) pursuant to the Community Redevelopment Law of the State of California (the “CRL;” Health and Safety Code Sections 33000, et seq.; all statutory references hereinafter shall be to the Health and Safety Code unless otherwise designated), the California Constitution, and all applicable laws, local codes, and ordinances. This Plan consists of this text, the attached Plan Map, and the attached Legal Description (Sections 100 through 640, and Appendices A and B, respectively).

### ***B. (§110) PURPOSE AND BASIS OF THIS PLAN***

The overall purpose of formulating this Plan is to provide for the elimination or alleviation of physical and economic blighting conditions, as defined in CRL Section 33030 and 33031, that affects an approximately 2,159-acre area (the “Project Area”). Broadly stated, these conditions include: physical deterioration of buildings and facilities; potential threats to the public health and safety, inadequate public improvements and facilities that are essential to the health and safety of local residents and property owners; areas of incompatible land uses; lots of irregular form and shape and of inadequate size for proper development; and land suffering from depreciated or stagnant values.

The basis for this Plan is the Preliminary Plan for the Lodi Community Improvement Project, adopted by the Planning Commission of the City of Lodi (the “Planning Commission”) on November 14, 2007.

### C. (§120) DEFINITIONS

The following definitions will govern in the context of this Plan unless otherwise stipulated herein:

- 1) (§120.1) **Agency** means the Redevelopment Agency of the City of Lodi, California.
- 2) (§120.2) **Project Area** means the territory subject to this Plan, as described in Appendix 'B.'
- 3) (§120.3) **Lodi Community Improvement Project** means the Project under this Plan.
- 4) (§120.4) **City** means the City of Lodi, California.
- 5) (§120.5) **City Council** means the City Council of the City of Lodi, California.
- 6) (§120.6) **County** means the County of San Joaquin, California.
- 7) (§120.7) **CRL** means the Community Redevelopment Law of the State of California (California Health and Safety Code, Sections 33000, et seq.), as from time to time amended.
- 8) (§120.8) **General Plan** means the Lodi General Plan, as it may be from time to time amended.
- 9) (§120.9) **Legal Description** means a description of the land within the Project Area in accordance with map specifications approved by the California State Board of Equalization, and attached hereto as Appendix 'B.'
- 10) (§120.10) **Owner Participation Rules** means the adopted owner participation rules as they may be amended from time to time by the Agency.
- 11) (§120.11) **Person** means any individual or any public or private entity.
- 12) (§120.12) **Persons or Families of Low- or Moderate-Income** means the same as defined by Health and Safety Code Sections 50093 (low and moderate income), 50079.5 (lower income), 50105 (very low income) and 50106 (extremely low income). The County-wide dollar-definition of these incomes is published annually pursuant to Title 25 California Code of Regulations, Section 6932.
- 13) (§120.13) **Personal Property** means all property other than Real Property.

- 14) (§120.14) **Project** means all activities, plans, programs, objectives, goals, and policies involved in this Plan, either directly or by reference.
- 15) (§120.15) **Property** means Real Property and/or Personal Property.
- 16) (§120.16) **Real Property** means land, buildings, structures, fixtures and improvements on the land; property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage or otherwise, and the indebtedness secured by such liens.
- 17) (§120.17) **Redevelopment Law** means the CRL.
- 18) (§120.18) **Redevelopment Plan** or **Plan** means this document, which, upon adoption by the City Council, shall be officially designated as, “The Plan for the Lodi Community Improvement Project.”
- 19) (§120.19) **Redevelopment Plan Map** means the Community Improvement Plan Map, attached hereto in Appendix ‘A.’
- 20) (§120.20) **State** includes any state agency or instrumentality of the State of California.
- 21) (§120.21) **Zoning Ordinance** means the codes, ordinances and resolutions relating to zoning, land use, and development in the City, as may be from time to time amended.

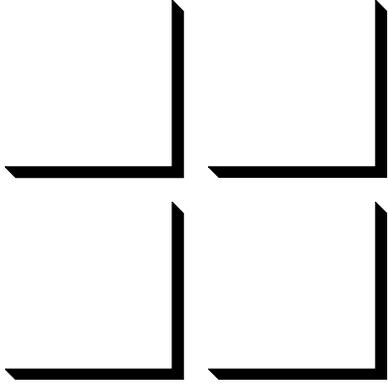
#### ***D. (§130) PROJECT AREA BOUNDARIES***

The Project Area includes all properties within the boundaries shown on the Community Improvement Plan Map (see Appendix ‘A’), and described in the Legal Description (see Appendix ‘B’).

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## **II. DEVELOPMENT IN THE PROJECT AREA**

### **A. (\$200) PROJECT OBJECTIVES**

The Project Area includes a number of conditions that are specified in the CRL as characteristic of blight. Due to the range of these detrimental physical and economic conditions, the Agency must undertake a comprehensive program of activities, including providing needed public improvements, targeted programs and activities to stimulate quality development, financial assistance to promote rehabilitation of existing improvements and structures, and various other activities that would serve existing residents and businesses, and would encourage new private investment. In addition to providing needed public improvements and other assistance, the Agency may assist owners and developers with key in-fill projects through a variety of targeted programs. In doing such, the Agency intends to mitigate the effects of blight in the Project Area.

#### ***Vision Statement***

##### **Urban Environment**

Overriding Goal: Enhance existing business and residential neighborhoods, and encourage new in-fill development as appropriate.

- Encourage development according to the City's General Plan, as it currently exists or may be amended in the future.
- Help preserve and enhance existing conforming residential neighborhoods through landscaping, street and other infrastructure improvements.

- Work with business and property owners to upgrade their properties in the Project Area.
- Rehabilitate deteriorated residential and commercial properties to eliminate safety deficiencies to extend the useful lives of these structures.
- Encourage policies that protect historic structures and ensure historic preservation in the Project Area.
- Work with property owners and businesses to clean up properties that are or have been exposed to hazardous materials.
- Work with property owners to eliminate the negative impacts related to non-conforming land uses.
- Provide for an appropriate buffer to residential neighborhoods from noise, odors, and vibrations for non-residential uses.
- Promote and ensure an environment that is friendly and safe for pedestrians.
- Strengthen pedestrian connections between neighborhoods, and from the Project Area to the rest of the City.

### **Economic Development**

Overriding Goal: Create successful commercial and industrial employment areas to serve local residents, businesses, employees and visitors.

- Develop infrastructure improvements that facilitate private investment in the Project Area.
- Assist economically depressed properties to reverse stagnant or declining property investment through infrastructure improvements and programs.
- Expand opportunities for shopping and services by encouraging the development of new commercial uses that fulfill unmet needs in the community and rehabilitation of existing commercial properties.

- Work with property owners to consolidate parcels to induce new or expanded business development.
- Promote the development of new commercial and industrial opportunities that provide for diverse employment opportunities.
- Provide relocation assistance to businesses and residents in accordance with current law.

### **Housing Affordability and Quality**

Overriding Goal: Establish the Project Area as a community with a high-quality housing stock that includes a variety of housing unit types affordable to a wide range of households.

- Improve the appearance and attractiveness of residential neighborhoods through neighborhood improvement programs, code enforcement efforts, and residential rehabilitation programs.
- Protect the health and general welfare of the Project Area's low- and moderate-income residents by utilizing 20% of the property tax increment revenues to improve, increase and preserve the supply of low- and moderate-income housing.
- Provide replacement housing as required by law if any dwelling units affordable to low- or moderate-income persons or families are lost from the housing supply as a result of Agency activities.
- Provide relocation assistance to businesses and households displaced by Agency activities.
- Provide housing rehabilitation programs to upgrade properties to eliminate blight and adverse code conditions.

### **Public Infrastructure**

Overriding Goal: Improve the Project Area's public infrastructure system to ensure public health, safety and welfare of residents, businesses, and properties

- Provide for improvements to the infrastructure system that cannot be undertaken by a single property owner, but must be improved on an area-wide basis such as drainage improvements, water distribution lines, flood control facilities, and under-grounding of utilities.
- Provide a range of public infrastructure improvements that induce or facilitate private investment such as intersection upgrades, streets, curbs and gutters, sidewalks, street medians, and parking management facilities.
- Work with property owners on the location and timing of improvements to economically assist the repositioning and development of parcels.

### **Plan Management**

Overriding Goal: Ensure that the Lodi Community Improvement Project is managed in the most efficient, effective and economical manner possible.

- Encourage the cooperation and participation of property owners, tenants, residents, public agencies, and community organizations in the elimination of blighting conditions and the promotion of new or improved development in the Project Area.
- Establish programs and activities which assist, complement, and coordinate with public and private development and encourage revitalization and enhancement in the Project Area.
- Oversee the necessary infrastructure improvements in a coordinated and efficient manner.

### ***B. (§210) CONFORMANCE TO GENERAL PLAN***

All uses proposed in this Plan shall be in conformance with the General Plan as it now exists, or may be hereafter amended. All requirements of the Zoning Ordinance shall apply to all uses proposed hereunder. All applicable development codes shall apply to all uses in the Project Area.

### **C. (§220) SPECIFIC DEVELOPMENT OBJECTIVES**

Development in the Project Area will be in conformance with this Plan, the General Plan, and the Zoning Ordinance. Development in the Project Area shall also be in conformance with any applicable adopted specific plan or master plan.

The Agency's development objectives involve encouraging the implementation of development in accordance with the General Plan as identified above. In doing so, it is the Agency's intent to provide assistance in the following manner:

- 1) The construction of needed public improvements and facilities including, but not limited to, those described in Section 344 herein.
- 2) The completion of various planning or marketing studies as necessary to facilitate and coordinate a successful redevelopment process.
- 3) All other forms of Agency assistance authorized by the CRL, including, but not limited to, loans, tax exempt financing, or other financial aid programs for new construction and/or rehabilitation.

### **D. (§230) LAND USES FOR THE PROJECT AREA**

In addition to generally identifying the boundaries of the Project Area, the Community Improvement Plan Map (Appendix A) also generally illustrates the proposed public rights-of-way, public easements, open space, and proposed land uses to be permitted in the Project Area, all of which are consistent with the General Plan as it exists as of the date of the adoption of this Plan.

Pending the ultimate development of land in accordance with the provisions of this Plan, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses not in conformity with the uses permitted in this Plan, provided that approval of any such interim uses shall be subject to compliance with provisions of the Zoning Ordinance.

If the General Plan is amended in the future, as it applies to the Project Area, this Plan shall be deemed amended to conform to the General Plan as so amended.

## **E. (§240) PUBLIC USES FOR THE PROJECT AREA**

### **1. (§241) PUBLIC STREET LAYOUT, RIGHTS-OF-WAY AND EASEMENTS**

The public rights-of-way, easements, and principal streets proposed or existing in the Project Area are the same as those indicated in the General Plan, and are shown on the attached Community Improvement Map (Appendix A).

Such streets and rights-of-way may be widened, altered, realigned, abandoned, vacated, or closed by the Agency and the City as appropriate given ownership, and necessary for proper development of the Project. The Agency and the City may create additional public streets, alleys, and easements in the Project Area as needed for proper circulation. The Agency and the City will work with Caltrans to make improvements on state highways in the Project Area.

The public rights-of-way shall be used for vehicular, bicycle and pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained and created.

### **2. (§242) OPEN SPACE, PUBLIC AND QUASI-PUBLIC USES, AND FACILITIES**

In any portion of the Project Area, the Agency is authorized to permit the establishment or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall conform, so far as possible, with the provisions of this Plan applicable to the uses in the specific area involved, and shall conform to the General Plan.

## **F. (§250) GENERAL DEVELOPMENT REQUIREMENTS**

### **1. (§251) OPEN SPACE AND STREET LAYOUT TO BE PROVIDED**

Open space and street layout is shown in the Community Improvement Map included herewith in Appendix A and described in Section 241 of this Plan. Addi-

tional open space will be provided through application of City standards for building setbacks.

**2. (\$252) LIMITATIONS ON TYPE, SIZE, HEIGHT, NUMBER, AND PROPOSED USE OF BUILDINGS**

The type, size, height, number, and proposed use of buildings shall be limited by the applicable federal, state, and local statutes, ordinances, regulations, General Plan, Zoning Ordinance, and any requirements that may be adopted pursuant to this Plan. Permitted land uses are indicated on the Community Improvement Map in Appendix A.

**3. (\$253) THE APPROXIMATE NUMBER OF DWELLING UNITS**

Under the General Plan, approximately 4,500 dwelling units (including existing dwellings) would be permitted in the Project Area at the expiration of this Plan. These uses are limited as indicated on the Community Improvement Map in Appendix A and must conform with the General Plan and Zoning Ordinance.

**4. (\$254) THE PROPERTY TO BE DEVOTED TO PUBLIC PURPOSES AND THE NATURE OF SUCH PURPOSES**

The locations of public uses are shown in the Community Improvement Map in Appendix A. Other public uses are described in Section 251 of this Plan and specific public improvements/facilities are listed in Section 344. These improvements are generally expected to be provided in the public right-of-way or on land specifically acquired by the City or Agency for such purposes. Additional public facilities may be developed by the County, by special districts, by school districts, and by other public agencies operating within the Project Area.

**5. (\$255) CONFORMANCE WITH THIS PLAN**

All Real Property in the Project Area is hereby made subject to the controls and requirements of this Plan. No Real Property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan unless it is in conformance with the provisions of the General Plan, of the Zoning Ordinance,

and of this Plan and all applicable provisions of State law.

**6. (§256) REHABILITATION AND RETENTION OF PROPERTIES**

To the greatest extent permitted by law, any existing structure within the Project Area specifically may be repaired, altered, reconstructed, or rehabilitated to ensure that such structure will be safe and sound in all physical respects and not detrimental to the surrounding uses. Such repair, alteration, reconstruction or rehabilitation shall be conducted according to City procedures and guidelines.

**7. (§257) SUBDIVISION OR CONSOLIDATION OF PARCELS**

No parcels in the Project Area, including any parcels retained by a participant, shall be subdivided or consolidated without approval of the City.

***G. (§260) DEVELOPMENT PROCEDURES***

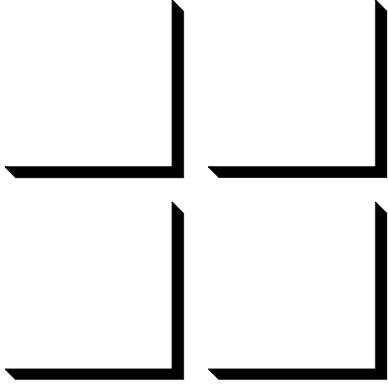
Applications for development and building permits and the review thereof shall follow City procedures.

**1. (§261) REVIEW OF APPLICATIONS FOR BUILDING PERMITS**

Applications for building permits and the review thereof shall follow City procedures.

**2. (§262) EXISTING NONCONFORMING USES**

Existing non-conforming uses are allowed to remain as provided in the Lodi Municipal Code.



### **III. REDEVELOPMENT IMPLEMENTATION**

#### **A. (§300) GENERAL**

The Agency is authorized to undertake the following implementation actions, but in no event may use the power of eminent domain in any manner or purpose:

- 1) (§301) Provide for participation by owners and tenants of properties located in the Project Area by extending opportunities to remain or relocate within the Project Area;
- 2) (§302) Acquisition of Real Property, and management of property under the ownership and control of the Agency;
- 3) (§303) Relocation assistance to displaced Project occupants;
- 4) (§304) Demolition or removal of buildings and improvements;
- 5) (§305) Installation, construction, or reconstruction of streets, utilities, open spaces and other public improvements and facilities;
- 6) (§306) Rehabilitation, development, or construction of low- and moderate-income housing within the City;
- 7) (§307) Disposition of property for uses in accordance with this Plan;
- 8) (§308) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan;
- 9) (§309) Rehabilitation of structures and improvements by present owners, their successors, or the Agency; and,
- 10) (§310) Any other redevelopment agency activity permitted by the CRL.

**B. (§311) PARTICIPATION BY OWNERS AND TENANTS**

**1. (§312) PARTICIPATION OPPORTUNITIES FOR OWNERS**

Persons who are owners of business and other types of Real Property in the Project Area shall be given an opportunity to participate in redevelopment as more particularly set forth in the Owner Participation Rules (adopted April 16, 2008, by Agency Resolution \*\*\*\*).

**2. (§313) RE-ENTRY PREFERENCES; PREFERENCES FOR TENANTS**

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to re-enter in business within the Project Area, if they otherwise meet the requirements prescribed in this Plan. Business, institutional and semi-public tenants may, if they so desire, purchase and develop Real Property in the Project Area if they otherwise meet the requirements prescribed in this Plan, all as more particularly set forth in the Owner Participation Rules.

**3. (§314) PARTICIPATION AGREEMENTS**

At the Agency's option, each participant who chooses to participate in the development of property pursuant to adopted Owner Participation Rules, may be required to enter into a binding agreement with the Agency by which the participant agrees to develop, rehabilitate, or use the Participant's and/or other Property in conformance with this Plan and be subject to the provisions in the participation agreement. In such agreements, participants who retain Property shall be required to join in the recordation of such documents as are necessary to make the provisions of the agreement applicable to their properties.

Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

## **C. (§320) PROPERTY ACQUISITION AND MANAGEMENT**

### **1. (§321) ACQUISITION OF REAL PROPERTY**

The Agency may but is not required to, acquire any Real Property and/or Personal Property, any interest in Real Property and/or Personal Property, any improvements on Real Property by gifts, grant, bequest, devise, exchange, purchase or any other means authorized by law, but expressly excluding the use by the Agency of eminent domain. This Plan and the Agency's program for the acquisition of Property (to the extent said program is required by law) does not provide for the Agency to have the power of eminent domain.

The Agency shall not acquire any property or interest in property from any of its members or officers. The Agency shall not acquire property of a public agency without its consent.

### **2. (§322) PROPERTY MANAGEMENT**

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be maintained, managed, operated, repaired, cleaned, rented, or leased to an individual, family, business, or other appropriate entity by the Agency pending its disposition for redevelopment. The Agency may insure or provide for the insurance of any real Property of the Agency and provide for the insurance of any operations of the Agency against risk of hazards. All such acts shall be pursuant to such policies as the Agency may adopt.

The Agency shall maintain all Agency-owned property that is not to be demolished in a reasonably safe and sanitary condition. Furthermore, the Agency may insure against risks or hazards any of the real or personal property which it owns.

The Agency is authorized to own and operate rental property acquired and rehabilitated in prospects of resale to the greatest extent permitted by law.

**D. (§330) RELOCATION OF PERSONS, FAMILIES AND BUSINESSES**

Provisions relative to the relocation of persons, families and businesses are required by the CRL. The Agency prepared and adopted a feasible method for relocation, as required by law. The relocation method, called “Method of Relocation for the Lodi Community Improvement Project”, outlines the responsibilities of the Agency regarding relocation as a result of the implementation of this Plan.

**E. (§340) DEMOLITION, CLEARANCE, SITE PREPARATION, PROJECT IMPROVEMENTS AND PUBLIC IMPROVEMENTS**

The following provisions relative to demolition, clearance and site preparation are required by the CRL.

**1. (§341) DEMOLITION AND CLEARANCE**

Subject to and in conformance with law, the Agency is authorized to demolish and clear or move, or cause to be demolished and cleared or moved, buildings, structures, and other improvements from any Real Property in the Project Area as necessary to carry out the purposes of this Plan.

**2. (§342) BUILDING SITE PREPARATION**

Subject to and in conformance with law, the Agency is authorized to prepare, or cause to be prepared as building sites, any Real Property in the Project Area.

**3. (§343) PROJECT IMPROVEMENTS**

Pursuant to the CRL, the Agency is authorized to install and construct, or to cause to be installed and constructed, Project improvements and public utilities necessary to carry out this Plan. Such improvements include, but are not limited to, streets, curbs, gutters, street lights, sewers, storm drains, flood control improvements, traffic signals, electrical distribution systems, transportation facilities, natural gas distribution systems, water distribution systems, or overpasses, underpasses, bridges, and landscaped areas.

#### 4. (§344) PUBLIC IMPROVEMENTS AND IMPLEMENTATION PROGRAMS

As provided under CRL Section 33445 and as may be otherwise permitted by law, the Agency may, with the consent and cooperation of the City Council and adoption of certain findings specified in CRL Section 33445, pay all or part of the value of the land for, and the cost of the installation and construction of, any buildings, facilities, structures or other improvements which are publicly owned, including school facilities, either outside or inside the Project Area.

Without limiting its general authority, the Agency is specifically authorized to provide or participate in providing the improvements described in Section 343, as well as the public improvements, facilities, and programs listed below:

##### ***Commercial Corridor Improvement Program***

The Agency intends to fund improvements designed to strengthen the major commercial corridors in the Project Area. Improvements will focus on the following major commercial corridors:

- Lodi Avenue
- Cherokee Lane
- Kettleman Lane
- Lockeford Street
- Pine Street
- Victor Road
- Central Avenue
- Main Street

Improvements that are needed along these major commercial corridors include:

- Water, sewer and storm drains
- Undergrounding of utilities
- Pedestrian improvements
- Streetscape improvements
- The reconstruction of streets
- Billboard removal
- Improved signage
- Graffiti abatement programs/funding
- Capital facilities that help reduce crime
- Streetscape improvements along the major corridors of the Project Area, including the installation of

street trees, landscaped medians, entry way signs, new signage and the removal of billboards.

Also as a part of the Commercial Corridor Improvement Program, the Agency intends to implement a commercial rehabilitation program. This program would focus on providing loans and grants for the rehabilitation of existing commercial and industrial buildings. The Agency also intends to promote and encourage sustainable development and reduce energy consumption in its programs and projects.

### ***Neighborhood Improvement Program***

The Agency intends to fund improvements designed to upgrade and strengthen the residential areas of the Project Area. Improvements to include:

- Water, sewer and storm drains
- Installation of water meters
- Undergrounding of utilities
- Pedestrian improvements
- Soundwalls
- Alley improvements
- Sidewalk, curb and gutters
- ADA accessibility improvements
- Promotion and encouragement of sustainable development and reduction of energy consumption

### ***Economic Development Programs***

The Agency intends to encourage new commercial and industrial development in the Project Area through this program. Under this program, the Agency can enter into public private partnerships by assisting with land assembly, site preparation, offsite improvements, disposition of property, hazardous waste remediation and relocation assistance to existing property owners and tenants. The Agency may also acquire property (but not through eminent domain) and resell it to developers at the reuse value of the property. Another component of this program will include assistance to existing businesses as a means to retain them in the proposed Project Area.

The Agency may also assist existing and future businesses through the payment of development impact fees, assessments and mitigations to the extent permitted by law.

This program will most likely be focused on those areas where significant deterioration and dilapidation exist. This includes the major commercial corridors of the City that were described under the Commercial Corridor Improvement Program. Priorities may also be established based upon the willingness of private parties to invest private capital.

### ***Community Facilities and Improvement Programs***

One of the major physical blighting conditions is the existence of contaminated groundwater plumes. Through this program, the Agency intends to assist in the remediation of these toxic sites.

The following types of community facilities also may be constructed in the Project Area:

- Parks, stadium and other recreation
- Libraries
- Public safety facilities, including police and fire facilities
- Animal shelter
- Green development enhancements at existing and future facilities
- Other facilities as needed

### ***Housing Programs***

The Housing Program implements one of the major goals of the CRL, which is to increase, improve, and preserve low- and moderate-income housing. The Agency intends to implement the following types of projects:

- First time homebuyers down payment assistance program
- Housing Rehab Loan Program
- Senior Housing
- Workforce Housing Development

## **ADDITIONAL FACILITIES OR IMPROVEMENTS**

Changes in circumstances or designs may alter the location of the facilities described above, or may require

other related facilities. The financing of such related facilities shall be deemed authorized by the Agency.

The Agency will be authorized to finance the construction of additional improvements in the Project Area based on the requirements of any future project environmental impact report, or any other State, regional or local regulatory program. These items may include, but are not limited to, travel demand management strategies, storm water runoff prevention and best management practices, and Federal Emergency Management Agency regulations.

**5. (§345) TEMPORARY PUBLIC IMPROVEMENTS**

The Agency is authorized to install and construct, or cause to be installed and constructed, temporary public improvements and temporary public utilities necessary to carry out this Plan. Such temporary public improvements shall include, but not be limited to, streets, public facilities and utilities. Temporary utilities may be installed above ground.

**F. (§350) REHABILITATION AND CONSERVATION OF STRUCTURES**

**1. (§351) REHABILITATION OF STRUCTURES**

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and financially assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency.

The Agency and the City may conduct a rehabilitation program to encourage owners of property within the Project Area to upgrade and maintain their property consistent with City codes, ordinances and standards. The Agency and the City may develop a program for making low interest loans or other incentives for the rehabilitation of properties in the Project Area. Properties may be rehabilitated, provided that rehabilitation and conservation activities on a structure are carried out in an expeditious manner and in conformance with this Plan.

**2. (§352) MOVING OF STRUCTURES**

As is necessary in carrying out this Plan and where it is economically feasible to so do, the Agency is authorized to move, or cause to be moved, any standard structure or building, which can be rehabilitated, to a location within or outside the Project Area.

**3. (§353) BUILDINGS OF HISTORICAL SIGNIFICANCE**

To the maximum feasible extent, special consideration shall be given to the protection, rehabilitation, or restoration of any structure determined to be historically significant, taking into consideration applicable City guidelines. The Agency may fund a historic survey in the project area to identify structures that are historically significant and could work with the City to modify the historic resources inventory. The Agency may develop programs to assist with historic preservation of significant structures.

**G. (§360) REAL PROPERTY DISPOSITION AND DEVELOPMENT**

**1. (§361) GENERAL REQUIREMENTS**

For the purpose of this Plan, and to the extent permitted by and in the manner required by law, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in Property.

In the manner required and to the extent permitted by law, before any interest in Property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold or leased, for development pursuant to this Plan, such sale, lease, or disposition shall first be approved by the City Council after public hearing.

Purchasers or lessees of Agency-owned property in the Project Area shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

To the extent permitted and in the manner required by law, the Agency is authorized to dispose of Real Property by leases or sales by negotiation without public bidding. Property may be conveyed by the Agency to the City or any other public body without charge.

**2. (§362) DISPOSITION AND DEVELOPMENT DOCUMENTS**

- 1) To provide adequate safeguards ensuring that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all Real Property sold, leased, or conveyed by the Agency shall be made subject to the provisions of this Plan by lease, deeds, contracts, agreements, declarations, or other lawful means. Where determined appropriate by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County.
- 2) The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.
- 3) In accordance with CRL Sections 33337 and 33436, all deeds, leases or contracts for the sale, lease, sublease, transfer, use occupancy, tenure or enjoyment of Real Property in the Project Area which the Agency proposes to enter into shall contain the following provisions and nondiscrimination clauses in substantially the following form:

- (a) In deeds the following language shall appear:

“The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, ten-

ure, or enjoyment of the premises herein conveyed, nor shall the grantee or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land.”

- (b) In leases the following language shall appear:

“The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased nor shall the lessee himself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased.”

- (c) In contracts entered into by the agency relating to the sale, transfer, or leasing of land or any interest therein acquired by the agency within any survey area or redevelopment project the foregoing provisions in substantially the forms set forth shall be included and the contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

**3. (§363) DESIGN FOR DEVELOPMENT**

In the case of property which is the subject of a disposition and development or participation agreement with the Agency, it shall be constructed in accordance with architectural, landscape, signage, lighting, and site plans submitted to and approved in writing by the Agency and by the City pursuant the General Plan, the Zoning Ordinance, appropriate City-adopted design guidelines, and other applicable Lodi Municipal Code requirements. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area in accordance with the goals and objectives of this Plan. The Agency will not approve any plans that do not comply with this Plan.

**4. (§364) INDUSTRIAL AND MANUFACTURING PROPERTY**

To the extent now or hereafter permitted by law, the Agency may, as part of an agreement that provides for the development or rehabilitation of property within the Project Area that will be used for industrial or manufacturing purposes, assist with the financing of facilities or capital equipment including, but not necessarily limited to, pollution control devices. Prior to entering into an agreement for a development that will be assisted pursuant to this Section, the Agency shall find, after a public hearing, that the assistance is necessary for the economic feasibility of the development and that the assistance cannot be obtained on economically feasible terms in the private market.

**5. (§365) PERSONAL PROPERTY DISPOSITION**

For purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.

## **H. (§370) OTHER AGENCY ACTIVITIES**

### **1. (§371) HAZARDOUS WASTE REMEDIATION AND REMOVAL**

The Agency may take any actions which it determines are necessary and which are consistent with other state and federal laws to remedy or remove hazardous waste on, under or from property in the Project Area in accordance with the requirements of Health and Safety Code Section 33459 - 33459.8, or any successor legislation.

### **2. (§372) SEISMIC RETROFITS**

For any rehabilitation project, the Agency may take any action it determines necessary and consistent with local, state and federal law to provide for seismic retrofits as provided in Health and Safety Code Section 33420.1 and any successor statute.

### **3. (§373) GRAFFITI REMOVAL**

The Agency may take such actions as it determines are necessary to remove graffiti from public and private property in the Project Area pursuant to Health and Safety Code Section 33420.2 and any successor statute.

### **4. (§374) COMMERCIAL REHABILITATION**

The Agency may establish a program under which it lends funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures within the Project Area pursuant to Health and Safety Code Section 33444.5 and any successor statute.

### **5. (§375) ASSISTANCE FOR INDUSTRIAL AND MANUFACTURING USES**

The Agency may assist in financing of facilities or capital equipment, including, but not necessarily limited to pollution control devices, for properties being developed or rehabilitated for industrial or manufacturing uses within the Project Area pursuant to Health and Safety Code Section 33444.6 and any successor statute.

**6. (§376) REHABILITATION AND MOVING OF BUILDINGS**

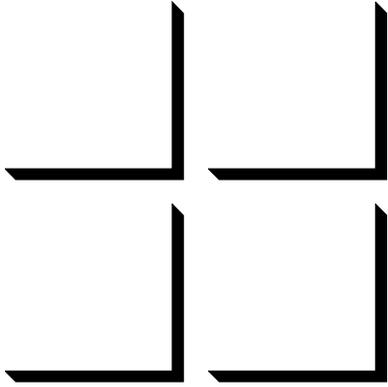
To the extent appropriate in carrying out the Plan, the Agency is authorized to: (a) rehabilitate or cause to be rehabilitated any building or structure in the Project Area acquired by the Agency; and (b) move or cause to be moved any building or other structure to a location within or outside the Project Area.



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#### ***IV. LOW- AND MODERATE-INCOME HOUSING***

##### ***A. (\$400) 20% TAX INCREMENT FUNDS REQUIREMENT***

Except as otherwise allowed by law, not less than twenty percent (20%) of all taxes allocated to the Agency pursuant to CRL Section 33670 shall be used by the Agency for the purposes of increasing, improving, and preserving the City's supply of housing for persons and families of low- or moderate-income.

##### ***B. (\$410) LOW- AND MODERATE-INCOME HOUSING AND REPLACEMENT***

Except as otherwise allowed by law, the Agency shall provide for affordable housing in compliance with all applicable provisions of the CRL, including but not limited to CRL Sections 33334.2 et seq., 33413 and 33413.5.

As stated in Section 321 of this Plan, the Agency is not authorized to use eminent domain. However, in carrying out the activities set forth in this Plan, it may become necessary for the Agency to enter into various agreements, such as an agreement for acquisition of Property, an agreement for the disposition and development of property, or an owner participation agreement, which would lead to the destruction or removal of dwelling units from the low- and moderate-income housing market. Except as otherwise allowed by law, not less than thirty (30) days prior to the execution of such an agreement, the Agency shall adopt, by a

resolution and to the extent provided by the CRL, a Replacement Housing Plan, which shall include the general location of the replacement housing, an adequate means of financing the replacement housing, a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution or that such approval has been obtained, the number of dwelling units housing persons or families of low- or moderate-income planned for construction or rehabilitation, and a timetable for meeting the Plan's relocation or rehabilitation housing objectives, or as the CRL may otherwise provide. To the extent required by law, a dwelling unit whose replacement is required by CRL Section 33413, but for which no Replacement Housing Plan has been prepared, shall not be removed from the low- and moderate-income housing market.

For a reasonable period of time prior to adopting a Replacement Housing Plan, the Agency shall make available a draft of the proposed plan for review and comments by other public agencies and the general public.

To the extent required by CRL Section 33413, whenever dwelling units housing persons and families of low- or moderate-income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project which is subject to a written agreement with the Agency or where financial assistance has been provided by the Agency, the Agency shall, within four years of such destruction or removal, rehabilitate, develop, price restrict, or construct, or cause to be rehabilitated, developed, price restricted, or constructed for rental or sale to persons and families of low- or moderate-income, an equal number of replacement dwelling units which have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs within the territorial jurisdiction of the Agency. All of the replacement dwelling units shall be available at affordable housing costs to persons in the same or a lower income category (low, very low, or moderate) as the persons displaced from those destroyed or removed units.

### ***C. (§420) PROVISION OF LOW- AND MODERATE-INCOME HOUSING***

The Agency may, to the extent permitted by law and land use designations, inside or outside the Project Area, acquire

land, sell or lease land, donate land, improve sites, price restrict units, construct or rehabilitate structures, or use any other method authorized by the CRL in order to provide housing for persons and families of low or moderate income. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the City.

**D. (§430) NEW OR REHABILITATED DWELLING  
UNITS DEVELOPED WITHIN THE PROJECT AREA**

To the extent required by CRL Section 33413, at least thirty percent (30%) of all new and substantially rehabilitated dwelling units developed within the Project Area by the Agency shall be for persons and families of low- and moderate-income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low-income households.

To the extent required by the CRL, at least fifteen percent (15%) of all new and substantially rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low- and moderate-income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low-income households. To satisfy this provision, in whole or in part, the Agency may cause by regulation or agreement, to be available, at affordable housing costs, to persons and families of low or moderate-income or to very low-income households, as applicable, two units outside the Project Area for each unit that otherwise would have had to be available inside the Project Area. Also, in order to satisfy this provision, the Agency may aggregate new or substantially rehabilitated dwelling units in one or more redevelopment project areas, or may purchase long-term affordability covenants in existing housing whether or not in the Project Area. The Agency may also satisfy this provision by any other means permitted by law.

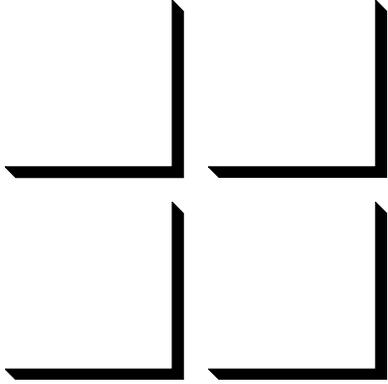
The percentage requirements set forth in this Section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation, development, price restriction, or construction of dwelling units.

The Agency shall require, by contract or other appropriate means, that whenever any low- and moderate-income housing units are developed within the Project Area, such units

shall be made available on a priority basis for rent or purchase, whichever the case may be, first to persons and families of low- and moderate-income displaced by the Project, and, second, to persons and families of low- and moderate-income who have been resident in the Project Area for at least 30 days prior to such units being made available; provided, however, that failure to give such priority shall not affect the validity of title to the Real Property upon which such housing units have been developed.

***E. (§440) LAST RESORT HOUSING***

If sufficient suitable housing units are not available for use by persons and families of low- and moderate-income displaced by the Project, the Agency may, to the extent of that deficiency, direct or cause the development or rehabilitation of low- and moderate-income housing units within the City, both inside and outside of the Project Area.



## ***V. PROJECT FINANCING***

### ***A. (\$500) GENERAL DESCRIPTION OF THE PROPOSED FINANCING METHOD***

Upon adoption of this Plan by the City Council, the Agency is authorized to finance implementation of the Project with property tax increments, interest income, Agency bonds, loans from private institutions, proceeds from the sale or lease of property, financial assistance, including grants and loans, from the City, County, state of California, Federal Government, or any other public agency, or any other legally available source. The City may, in accordance with the law, make advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established by any agreement between the City and the Agency.

The Agency is authorized to issue bonds from time to time if appropriate and feasible in an amount sufficient to finance implementation of all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds or other obligations by reason of their issuance. The bonds and other obligations of the Agency are not a debt of the City, nor the State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency; such bonds and other obligations shall so state on their face. The bonds and other obligations do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The

principal and interest on such advances, funds, and indebtedness maybe paid from tax increments or any other funds available to the Agency.

## **B. (§510) TAX INCREMENTS**

For the period specified in §540 below, all taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of San Joaquin, City of Lodi, any district, or other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan, or any amendment thereto, shall be divided as follows:

- 1) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds for the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project Area on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Joaquin last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project Area on said effective date); and,
- 2) Except as provided in paragraphs (3) and (4) below, that portion of the levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed value of the taxable property in the Project Area exceeds the total assessed value of the taxable property in the Project Area, as shown by the last equalized assessment roll referred to in paragraph (1) above, all of the taxes levied and collected upon the taxable property in the Project Area shall be paid to the respec-

tive taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid; and,

- 3) That portion of the taxes identified in paragraph (1) above, which are attributable to a tax rate levied by any of said taxing agencies for the purpose of providing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of Real Property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph (3) shall only apply to taxes levied to repay bonded indebtedness approved by the voters of said taxing agency or agencies on or after January 1, 1989.
- 4) That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this Plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project. Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project.

### **C. (§520) ISSUANCE OF BONDS AND NOTES**

The Agency may issue bonds or notes when a determination has been made that such financing is required and feasible.

### **D. (§530) LOANS AND GRANTS**

The Agency is authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advance funds and indebted-

ness may be paid from tax increments or any other funds available to the Agency.

### **E. (§540) FINANCING LIMITATIONS**

Consistent with CRL Sections 33333.2 and 33334.1, the following financing limitations are imposed on this Plan:

- 1.) From time to time as may be appropriate, the Agency may issue bonds and/or notes for any of its corporate purposes. The Agency may issue such types of bonds on which the principal and interest are payable in whole or in part from tax increments collected pursuant to CRL Section 33670. The total outstanding principal of any bonds so issued and repayable from said tax increment from the Project Area shall not exceed Four Hundred Million Dollars (\$400,000,000) at any one time, except by further amendment of this Plan.
- 2.) No loans, advances, or indebtedness to finance, in whole or in part, this Project and to be repaid from the allocation of taxes described in the aforementioned Section 33670 shall be established or incurred by the Agency beyond twenty (20) years from the adoption date of the ordinance approving this Plan. This time limit shall not prevent the Agency from incurring debt or as permitted by CRL Section 33333.2, Section 33333.8 or any other provisions of law.
- 3.) The limits set forth above shall not prevent the Agency from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time to repay indebtedness as set forth in subsection (7) below, or as otherwise permitted by law
- 4.) Unless otherwise permitted by law, the time limitation established 2)above may be extended only by amendment of this Plan after the Agency finds, based on substantial evidence, that (i) significant blight remains within the Project Area, and (ii) this blight cannot be eliminated without the establishment of additional debt. However, unless otherwise permitted by law, this amended time limitation may not exceed 30 years from the effective date of the ordinance approving and adopt-

ing this Plan except as necessary to comply with subsection (a) of CCRL Section 3333.8.

- 5.) The Agency shall not pay indebtedness or receive property taxes pursuant to CRL Section 33670 and Section §510 of this Plan beyond forty-five (45) years from the date of adoption of the ordinance approving this Plan or such longer period as permitted by CRL Section 33333.2 or any other provision of law.

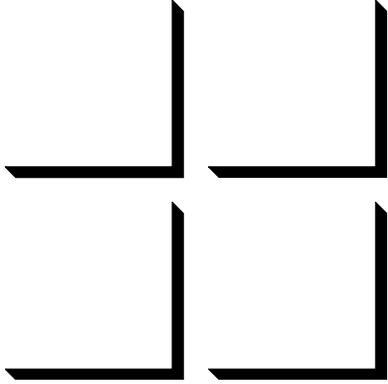
***F. (\$550) LOW- AND MODERATE-INCOME HOUSING FUND***

Taxes which are allocated by the Agency to low- and moderate-income housing pursuant to Part IV of this Plan shall be held in a separate low-and moderate-income housing fund to the extent provided under CRL Sections 33334.2 and 33334.3.

***G. (\$560) PAYMENTS TO TAXING AGENCIES***

The Agency shall make payments to affected taxing agencies with territory located within the Project Area to the extent required by CRL Section 33607.5 and may make other payments to affected taxing agencies if and to the extent authorized by the CRL at the discretion of the Agency.





## **VI. ADMINISTRATION**

### **A. (§600) ADMINISTRATION AND ENFORCEMENT OF THIS PLAN**

The administration, implementation, and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City in accordance with all applicable provisions of the CRL as well as with any applicable state or local law, ordinance, policy or plan.

The provisions of this Plan, or other documents entered into pursuant to this Plan, may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other available legal or equitable remedies.

All provisions of the CRL as may be required to be included in a redevelopment plan are hereby incorporated as if fully set forth herein.

### **B. (§610) DURATION OF THIS PLAN'S DEVELOPMENT CONTROLS**

Pursuant to CRL Section 33333.2, the effectiveness of this Plan shall terminate at a date which shall not exceed thirty (30) years from the date of adoption of the ordinance approving this Plan. After the time limit on the effectiveness of this Plan, the Agency shall have no authority to act pursuant to this Plan, except to pay previously incurred indebtedness, to enforce existing covenants or contracts, in-

cluding nondiscrimination and nonsegregation provisions, which shall run in perpetuity, to complete its housing obligations in accordance with CRL Sections 33333.2 and 33333.8, and to take any other action permitted by law.

### **C. (§620) PROCEDURE FOR PLAN AMENDMENT**

This Plan may be amended by means of the procedure established in CRL Sections 33450 through 33458, or by any other procedure established by law. Necessarily, some of the statements in this Plan are general and tentative in nature; formal amendment of this Plan is not required for subsequent implementation and administrative interpretation consistent with this Plan.

### **D. (§630) AGENCY/CITY COOPERATION**

Subject to any limitation in law, the City will aid and cooperate with the Agency in carrying out this Plan and may take any further action necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread of blight, or those conditions which caused the blight in the Project Area; provided that any City participation will require approval from time to time by the City Council as the governing body for the City. Actions by the City may include, but are not necessarily limited to, the following:

- 1) Review of building or rehabilitation proposals for consistency with all requirements and standards promulgated by the City including, but not limited to conformance to the Municipal Code, development code and applicable ordinances, and, for projects that are found to conform to standards and requirements, issue building permits for said projects.
- 2) Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City may include the abandonment and relocation of public utilities in the public rights-of-way as necessary to carry out this Plan.

- 3) Institution and completion of proceedings necessary for changes and improvements in publicly owned public utilities within or affecting the Project Area.
- 4) Imposition wherever necessary of appropriate design controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- 5) Provision for administration/enforcement of this Plan by the City after development.
- 6) Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule that will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- 7) The initiation and completion of any other proceedings necessary to carry out the Project.

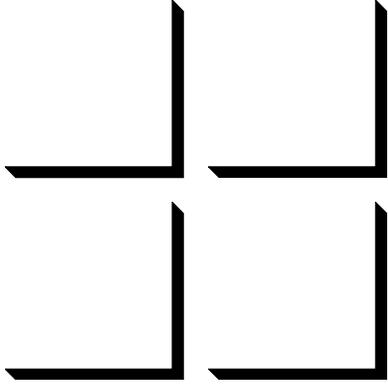
The Agency is authorized, but not obligated, to provide and expend funds to ensure the completion of the Project as a whole in accordance with this Plan. The obligation of the Agency to perform the actions indicated in this Section shall be contingent upon the continued availability of funding for this Project, primarily from tax increment revenues as defined in Section 510 hereof. However, the Agency may utilize any legally available sources of revenue for funding projects in accordance with this Plan.

#### ***E. (§640) COOPERATION WITH OTHER PUBLIC JURISDICTIONS***

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, construction, or operation of the Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, may acquire property already devoted to a public use, but is not authorized to acquire Real Property owned by public bodies without the consent of such public bodies. However, the Agency will seek the cooperation of all public bodies that own or intend to acquire property in the Project Area. Any public body that owns or leases property in the Project Area will be afforded all the privi-

leges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency on terms determined pursuant to this Plan and the Agency's Owner Participation Rules.



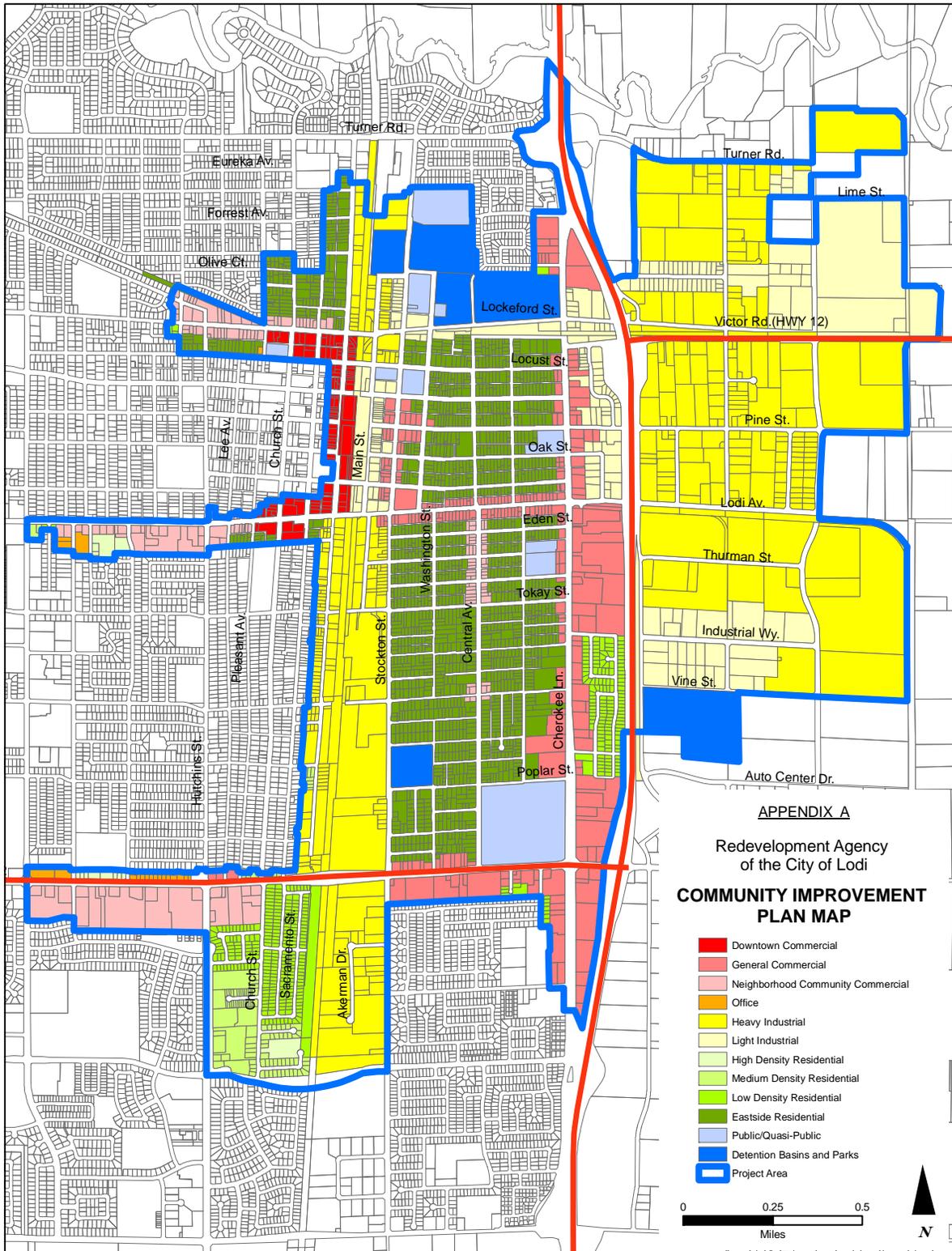
## ***APPENDIX A***

Community Improvement Map

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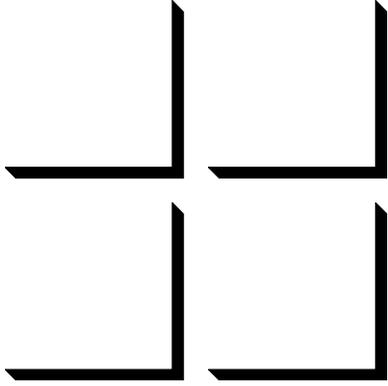
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## ***APPENDIX B***

Project Area Legal Description

Final legal description will be provided after final plan adoption.

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