

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-7

Urgent

Routine

AGENDA DATE June 30, 2009

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval To Introduce and Waive the First Reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 that Adds an Additional 175 Acres of Unincorporated Territory to the Riverbank Redevelopment Project Area and Adoption of a Resolution for the County of Stanislaus to Receive all Tax Revenues

STAFF RECOMMENDATIONS:

1. Approval to introduce and waive the first reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1, in accordance with California Health and Safety Code section 33213.
2. Adopt a resolution for the County of Stanislaus to receive all tax revenues for the amended project area pursuant to Health and Safety Code Section 33607.5.

FISCAL IMPACT:

In June 2005, Stanislaus County elected to include 92.46 unincorporated acres in the redevelopment area for the City of Riverbank. Over a 45 year period, this area will generate \$1.91 million in property taxes. Redevelopment law authorizes, by formula, a staged pass through of this revenue during the life of the project. In this case, Stanislaus County would receive \$1.18 million. Therefore, the loss to the county over the 45-year project life is estimated to be \$732,000. The City of Riverbank is amending their

- Continued on Page 2 -

BOARD ACTION AS FOLLOWS:

No. 2009-456

On motion of Supervisor O'Brien, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION: **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT FOR DISCUSSION AND CONSIDERATION**

INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE NO. C.S. 1063

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-K-1

Approval To Introduce and Waive the First Reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 that Adds an Additional 175 Acres of Unincorporated Territory to the Riverbank Redevelopment Project Area and Adoption of a Resolution for the County of Stanislaus to Receive All Tax Revenues

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FISCAL IMPACT Continued:

redevelopment project to add additional area. This amended area includes approximately 175 unincorporated acres. Over a 45 year period, this area will generate \$3.63 million in property taxes. This amended area would follow a statutory 45 year pass through just like the original area. For this amended area, Stanislaus County would receive \$2.20 million in pass through payments. Therefore, the loss to the county over this 45-year project life is estimated to be \$1.43 million. The property tax loss to Stanislaus County for the inclusion of these two unincorporated areas in the Riverbank redevelopment area is conservatively estimated to be \$2.16 million over their 45 year project lives. However, the reinvestment of property tax increment in the unincorporated portion of the Project Areas for infrastructure improvements will provide significant benefit to the community. Once the projects conclude, Stanislaus County will again be the recipient of its share of the property tax increment.

DISCUSSION:

Section 33213 of the Health and Safety Code allows a community's legislative body (in this case Stanislaus County) to "authorize the redevelopment of an area within its territorial limits to another community (in this instance the City of Riverbank), if such an area is contiguous to such other community." The authorization must be made through the adoption of an ordinance.

In June of 2005, the Redevelopment Agency of the City of Riverbank ("Riverbank RDA") developed its first redevelopment project area, which included 92.46 acres of unincorporated County territory in their Riverbank Reinvestment Plan. At that time, the County Board of Supervisors approved the process through an ordinance authorizing the Riverbank RDA to undertake the redevelopment of the unincorporated inclusion area. The initial RDA included four unincorporated areas as shown on the attached map (Attachment A). While all unincorporated pockets will continue to be a priority for future annexation to the City of Riverbank, the sub area adjacent to California Avenue and Claus Road has recently been annexed into the city.

In December of 2006, the City of Riverbank returned to the Board of Supervisors requesting the adoption of a resolution designating the boundaries of a proposed survey area for potential redevelopment area expansion (Attachment B). This request initiated the Amendment process. However, due to delays in completing a Reuse Plan for the Department of Defense on the former Army Ammunitions Plant ("Plant Site") and the slowed adoption of a General Plan update (finalized in April 2009), the process track for potential adoption is only now ready for consideration.

Approval To Introduce and Waive the First Reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 that Adds an Additional 175 Acres of Unincorporated Territory to the Riverbank Redevelopment Project Area and Adoption of a Resolution for the County of Stanislaus to Receive All Tax Revenues

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This first amendment to the Redevelopment Plan seeks the inclusion of an approximately 320 additional acres, 175 of which are adjacent unincorporated County territory ("Added Territory"). The Added Territory includes the Plant Site, which has significant problems related to hazardous materials and building deterioration, and the adjacent residential area, which itself has significant problems related to building deterioration, flooding, intermitted construction and a host of other negative characteristics. The Plant Site represents about 40% of the entire Added Territory.

Detrimental physical and economic conditions will be addressed by:

- Upgrading public facilities and infrastructure,
- Promoting and facilitating economic development and job growth
- Providing additional affordable housing opportunities
- Generally improving the quality of life for residents, business, and property owners within the limits of the Added Territory, and the City overall.

The Added Territory was also selected by the Riverbank RDA because its revitalization is consistent with the purposes of California Redevelopment Law (CRL) which are to protect and promote the sound development and redevelopment of blighted areas and to improve the general welfare of the inhabitants of the community. The Riverbank RDA plans to attain these purposes by:

- Revitalizing the Added Territory including, without limitation, planning, developing, clearing, reconstructing or rehabilitating (or any combination of the foregoing) structures and parcels or public rights-of-way within the Added Territory.
- Providing for various uses as may be appropriate or necessary in the interest of the general welfare, thereby contributing to public health, safety, and welfare.
- Stimulating construction activity and increasing employment opportunities by providing financial assistance in connection with the construction and reconstruction of walkways, lighting, landscaping, and other public facilities.
- Attracting appropriate uses of stagnant, unproductive, and/or under-productive areas including the recycling of land uses into viable productive uses consistent with goals and policies of the General Plan as it now exists and as it may be amended from time to time.
- The use of the Low and Moderate Income Fund to increase, improve, and preserve the community's supply of low- and moderate-income housing available at affordable housing cost to persons and families of low or moderate income, lower income households, very low income households, and extremely low income households.

Approval To Introduce and Waive the First Reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 that Adds an Additional 175 Acres of Unincorporated Territory to the Riverbank Redevelopment Project Area and Adoption of a Resolution for the County of Stanislaus to Receive All Tax Revenues

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The City of Riverbank believes that by including the additional 175 acres of unincorporated territory into the Riverbank Reinvestment Plan it facilitates several key objectives:

- Recognizes that the contiguous unincorporated parcels are integral parts of the Riverbank community, and by inclusion, can provide needed capital improvements with areas closely identified with Riverbank. This could include drainage, roadway, and other improvements
- By including the contiguous unincorporated areas the City (via the redevelopment mechanism) will be able to provide capital improvements to these areas – saving the County capital improvement dollars that can be used elsewhere in unincorporated areas.
- Ultimately annexation is the objective for all of the contiguous unincorporated areas proactively addressing the unwarranted creation of County islands. Riverbank has already completed an annexation process on several of the recommended areas.
- By allowing these areas into the redevelopment planning area housing and other rehabilitation assistance to businesses and residents can more readily occur.

The results of a joint cooperative effort between the Riverbank RDA and Stanislaus County will be:

- The commitment of the Agency to utilize a portion of tax increment revenues to upgrading the unincorporated territory so as to permit a staged annexation program over the next ten years.
- The commitment of the Agency to prioritize redevelopment activities for implementation. As financial resources become available, the objective will be to establish a development mix between public improvement/infrastructure rehabilitation and new development activities.
- The facilitation of annexation efforts by the City permitting the substitution of City services for those presently provided by County departments. As part of city-initiated applications to LAFCO for annexation of unincorporated territory, the City and Agency will seek support from the County in preparation of requisite legal descriptions of affected territory, as well as applicable annexation application filing fee waivers.
- The commitment of the Agency to work with County staff in developing an annexation program for each of the unincorporated areas within the Redevelopment Project in a timely manner.
- The ability to provide additional housing assistance in the Project Area.

The purpose of the proposed ordinance is to enable the Riverbank RDA to conduct redevelopment activities in the unincorporated areas included in the Project Area.

Approval To Introduce and Waive the First Reading of an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 that Adds an Additional 175 Acres of Unincorporated Territory to the Riverbank Redevelopment Project Area and Adoption of a Resolution for the County of Stanislaus to Receive All Tax Revenues

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Redevelopment is a tool that is used by a number of local jurisdictions, including Stanislaus County. Several positive project outcomes are currently beginning to materialize in the Riverbank Redevelopment Area including:

- Downtown streetscape and sidewalk improvements;
- Sewer and water infrastructure improvements;
- Downtown parkland development;
- Planning of the former Sun Garden Cannery site
- Remediation of blighted real estate
- A downtown specific plan

The inclusion of the 175 contiguous unincorporated acres is a collaborative effort to enhance commercial, industrial and residential developments within the Riverbank Redevelopment Project area.

This effort anticipates a systematic improvement of County territory that ultimately will lead to annexation, thereby reducing future County operating expenses and further benefiting the residents and business owners within the respective areas.

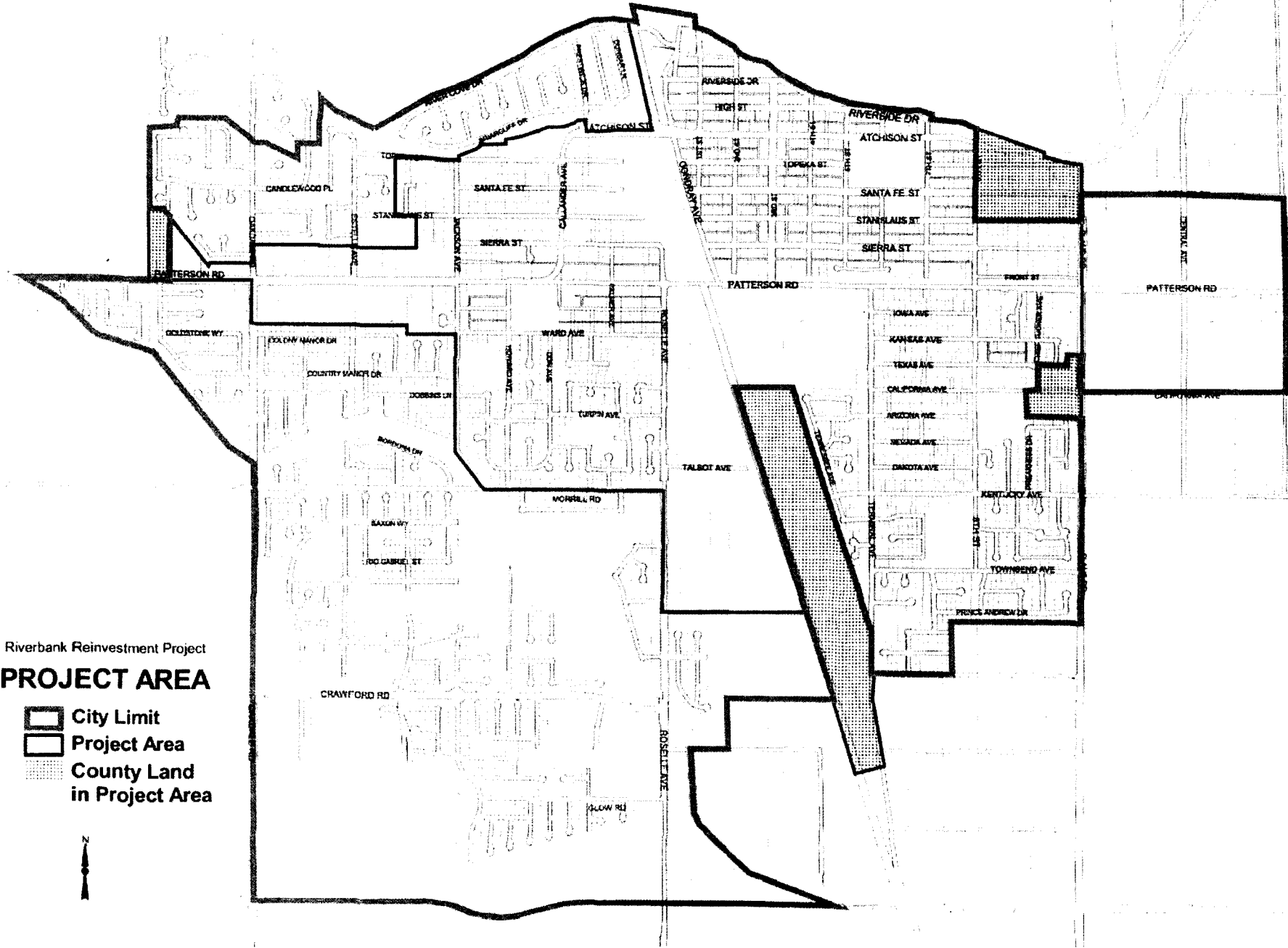
The county has similar agreements in place with cities such as Ceres and Turlock that encourage city participation in the improvement of unincorporated territory with the anticipation that annexation will occur. This same relationship has been discussed between Riverbank and Stanislaus County staff and it is anticipated that over a reasonable period of time the additional 175 acres of unincorporated territory included in the Riverbank Redevelopment Plan Amendment One will become a part of the incorporated limits of the City of Riverbank.

POLICY ISSUES:

Stanislaus County recognizes the importance of redevelopment, the intent to eliminate blight, improve quality of life for citizens, and the importance of encouraging cities to use the redevelopment process. The approval of this proposal advances the Board's priorities of promoting a strong local economy and a well planned infrastructure system.

STAFFING IMPACT:

The City of Riverbank will work with County staff from the Planning and Community Development department and the Chief Executive Office toward facilitating the annexation process. No additional staffing is required.

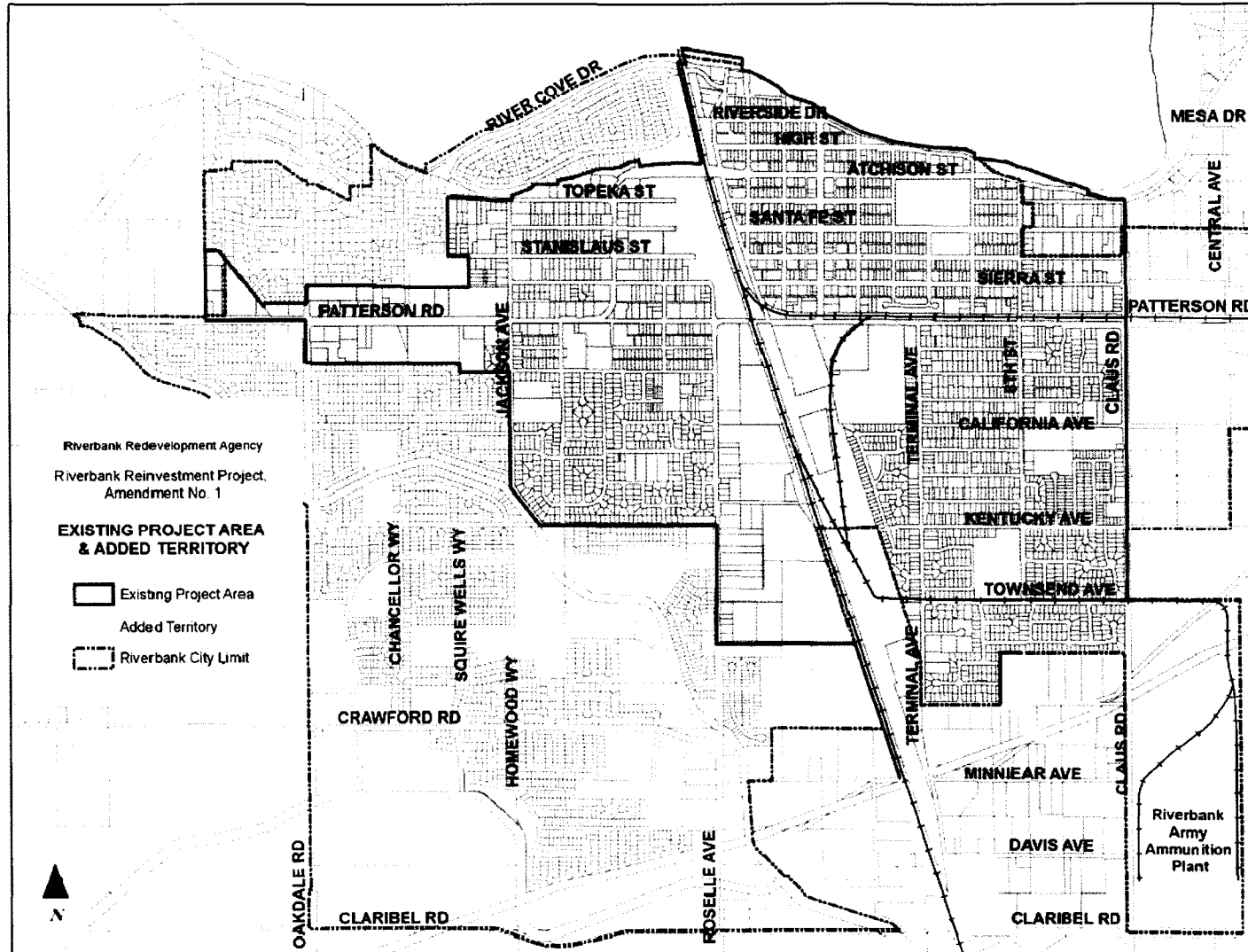


Riverbank Reinvestment Project
PROJECT AREA

-  City Limit
-  Project Area
-  County Land in Project Area



ATTACHMENT B



ORDINANCE NO. C.S. _____

AN ORDINANCE RELATING TO THE
RIVERBANK REDEVELOPMENT AGENCY

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF
CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. The Board of Supervisors hereby approves the proposed Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 attached hereto as Exhibit A. (Health and Safety Code section 33213).

Section 2. The adoption of this ordinance is expressly conditioned upon the adoption by the Riverbank city council of an ordinance approving and adopting without modification the the proposed Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1 attached hereto as Exhibit A.

Section 3. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____ seconded by Supervisor _____ the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this _____ day of _____, 2009, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Jim DeMartini, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

ATTEST:

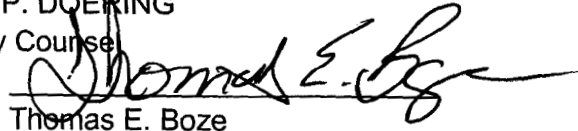
CHRISTINE FERRARO TALLMAN, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By _____
Liz King, Deputy Clerk

APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By

A handwritten signature in black ink, appearing to read "Thomas E. Boze", written over a horizontal line.

Thomas E. Boze
Deputy County Counsel

November 14, 2008

Draft
Reinvestment Plan for the
Riverbank Reinvestment
Project, Amendment No. 1

THE CITY OF RIVERBANK REDEVELOPMENT
AGENCY

Original Project Area
Adopted: June 27, 2005
Ordinance No.: 2005-10

Added Territory
Adopted: _____
Ordinance No.: _____



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Draft Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No. 1

CITY COUNCIL/ REDEVELOPMENT AGENCY

Chris Crifasi, *Mayor/Chair*
Sandra Benitez, *Vice-Mayor, Councilmember/Director*
Virginia Madueño, *Councilmember/Director*
Dave White, *Councilmember/Director*,
David I. White, *Councilmember/Director*

PLANNING COMMISSION

Joan Stewart, *Chair/Commissioner*
Clint Bray, *Vice-Chair/Commissioner*
Patty Hughes, *Commissioner*
Jaime Lopez, *Commissioner*
Max Melendez, *Commissioner*

STAFF

Richard P. Holmer, *City Manager*
Tim Ogden, *Economic Development & Housing Director*
J.D. Hightower, *Community Development Director*
Iris Yang, *Agency Special Counsel*



Draft Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No. 1

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APPENDIX A

Reinvestment Plan Map

APPENDIX B

Project Area Legal Description



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I. INTRODUCTION

A. (§100) BACKGROUND AND AUTHORITY

This Plan for the Riverbank Reinvestment Project (the “Project”) was prepared by the City of Riverbank Redevelopment Agency (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 Reinvestment Plan Map, and the attached Project Area Legal Description (Sections 100 through 640, and Appendices ‘A’ and ‘B’, respectively).

This Plan was originally adopted by the Riverbank City Council on June 27, 2005, by Ordinance No. 2005-10. Amendment No. 1 to this Plan was adopted on **** **, 2009, by Ordinance No. *****.

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 conditions, as defined in CRL Section 33030 and 33031, that affects an approximately 8,066-acre area (the “Original Project Area”), and the approximately 320-acre area to be added (the “Added Territory”). Broadly stated, these conditions include: physical deterioration of buildings and facilities; 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; land suffering from depreciated values and impaired investments, high crime rates; and, a variety of other conditions that are a threat to the public health, safety, and welfare.

The basis for this Plan is the Preliminary Plan Original Project Area, adopted by the Planning Commission of the City of Riverbank (the “Planning Commission”) on July 20, 2004, and the Added Territory, the Preliminary Plan for the Riverbank Reinvestment Project, Amendment No. 1, adopted by the Planning Commission on June 23, 2008.

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 Riverbank, California.
- 2) (§120.2) **Added Territory** means the territory added to the Original Project Area by Ordinance No. ***, as described in Appendix ‘B.’

- 3) (§120.4) **City** means the City of Riverbank, California.
- 4) (§120.5) **City Council** means the City Council of the City of Riverbank, California.
- 5) (§120.6) **County** means the County of Stanislaus, California.
- 6) (§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.
- 7) (§120.8) **General Plan** means the Riverbank General Plan, as it may be from time to time amended.
- 8) (§120.9) **Legal Description** means a description of the land within the Project Area and the Added Territory in accordance with map specifications approved by the California State Board of Equalization, and attached hereto as Appendix 'B.'
- 9) (§120.9) **Original Project Area** means the territory made subject to this Plan by Ordinance No. 2005-10, adopted June 27, 2005, and described in Appendix "B".
- 10) (§120.10) **Person** means any individual or any public or private entity.
- 11) (§120.11) **Project** means all activities, plans, programs, objectives, goals, and policies involved in this Plan, either directly or by reference.
- 12) (§120.12) **Project Area** means the territory subject to this Plan, including the Original Project Area and the Added Territory, as described in Appendix 'B.'
- 13) (§120.13) **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.
- 14) (§120.14) **Redevelopment Law** means the CRL.
- 15) (§120.15) **Reinvestment Plan** or **Plan** means this document, which is officially designated as "The Reinvestment Plan for the Riverbank Reinvestment Project."
- 16) (§120.16) **Reinvestment Plan Map** means the Reinvestment Plan Map for the Original Project Area and the Reinvestment Plan Map for the Added Territory, attached hereto in Appendix 'A.'
- 17) (§120.17) **Riverbank Reinvestment Project** means the Project under this Reinvestment Plan.
- 18) (§120.18) **Riverbank Reinvestment Project** means the Project under this Reinvestment Plan.
- 19) (§120.19) **State** includes any state agency or instrumentality of the State of California.
- 20) (§120.20) **Zoning Ordinance** means the codes, ordinances and resolutions relating to zoning and development in the City, as may be from time to time amended.

D. (§130) PROJECT AREA BOUNDARIES

The Original Project Area includes all properties within the boundaries shown on the Reinvestment Plan Map for the Original Project Area (see Appendix 'A'), and described in the Legal Description for the Original Project Area (see Appendix 'B').

The Added Territory includes all properties within the boundaries shown on the Reinvestment Plan Map for the Added Territory (see Appendix 'A') and described in the Legal Description for the Added Territory (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, direct financial assistance 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 induce new private investment.

In addition to providing needed public improvements and other assistance, the Agency may assist owner participants or prospective developers by providing tax exempt financing to reduce project development costs, and by assisting with site acquisition and assembly. In doing such, the Agency intends to mitigate the effects of blight in the Project Area.

Because the general goals described above are daunting tasks, the Agency has prepared a vision statement and a list of specific goals and objectives that will guide the Agency through the reinvestment process.

Vision Statement for the Agency

Riverbank is a well-established community with citizens, neighborhoods, and businesses sharing a sense of local identity and purpose. Riverbank will maintain its unique sense of place and economic vitality while preserving its history, diversity, natural beauty, and “small town” character. Reinvestment efforts by the Agency will focus on the elimination or alleviation of blight, but the Agency shall not have the power of eminent domain for this Project. In other words, all improvement activities and programs of the Project will be available to the public on a voluntary basis.

Urban Environment

Overriding Goal: Help make Riverbank a positively distinctive community that is attractive as a living, working and shopping environment. The following objectives are intended to help implement the Overriding Urban Environment Goal:

- Encourage high-quality development according to the City’s General Plan, any applicable specific plans, and the Zoning Ordinance.
- Help preserve and enhance existing residential neighborhoods that are compatible with and conforming to planned and surrounding land uses, through landscaping, street, and infrastructure improvements.
- Upgrade the physical appearance of properties in the proposed Project Area, including the public rights-of-way.

- Rehabilitate deteriorated residential, commercial, and industrial structures to eliminate safety deficiencies and to extend the useful lives of these structures.
- Reduce or eliminate the negative impacts related to land uses that are incompatible with and non-conforming to planned and surrounding land uses in the Project Area.
- Buffer residential neighborhoods from noise, odors, and vibrations from adjacent non-residential land uses.
- Clean-up properties that are or have been exposed to hazardous materials.

Economic Development

Overriding Goal: Riverbank should have pleasant and successful commercial, office and manufacturing areas that serve local residents, employees, and visitors. Revitalizing Riverbank's traditional downtown area is of primary importance for the economic health of the entire City.

The following objectives are intended to help implement the Overriding Economic Development Goal:

- Encourage investment in the proposed Project Area by the private sector.
- Assist economically depressed areas and reverse stagnant or declining property investment trends.
- Develop and implement a reinvestment and revitalization program for the traditional downtown area.
- Promote the development of new and diverse employment opportunities.
- Enhance and expand shopping facilities in the Project Area by encouraging the development of new commercial uses and rehabilitation of existing commercial uses in conformance with the General Plan and the Zoning Ordinance.
- Promote the improvement and internal integration of commercial and industrial areas to make them more attractive and efficient while incorporating the Urban Environment Overriding Goal.
- Promote the expansion of the Project Area's industrial and commercial bases and local employment opportunities to provide jobs to unemployed and underemployed workers in the City.
- Consolidate parcels as needed to induce new or expanded, internally integrated, business development in the proposed Project Area.
- Remove economic impediments to land assembly and in-fill development in areas that are not properly subdivided for development or redevelopment.
- Provide relocation assistance to businesses and residents displaced due to economic development activities.

Housing Affordability and Quality

Overriding Goal: Establish Riverbank as a community with a quality housing stock, which is affordable to a wide range of households. The following objectives are intended to help implement the Overriding Housing Affordability and Quality Goal:

- Protect the health and general welfare of the Project Area's many low- and moderate-income residents by utilizing not less than 20% of the tax increment revenues from the Project Area to improve, increase, and preserve the supply of low- and moderate-income housing.
- Provide replacement housing as required by law when dwellings housing low- or moderate-income persons or families are lost from the low- or moderate-income housing market as a result of Agency activities.
- Provide relocation assistance to households displaced by direct Agency activities.

Public Infrastructure

Overriding Goal: Improve Riverbank's public infrastructure system to the greatest possible extent, and to help ensure the public health, safety, and welfare. The following objectives are intended to help implement the Overriding Public Infrastructure Goal:

- Provide a broad range of public service infrastructure improvements to induce private investment in the proposed Project Area. Such improvements could include, but are not limited to, the construction or reconstruction of roads, streets, curbs and gutters, sidewalks; the upgrading of street side landscaping; street widening; the construction and reconstruction of water storage and distribution facilities; the construction and reconstruction of sewerage systems; and the development of drainage and flood control facilities.
- Provide new or improved community facilities such as fire stations, schools, park and recreational facilities, and the expansion of public health and social service facilities, where appropriate, to enhance the public health, safety, and welfare.

Plan Management

Overriding Goal: Ensure that the Reinvestment Plan for the Riverbank Reinvestment Project is managed in the most efficient, effective, and economical manner possible. The following objectives are intended to help implement the Overriding Plan Management Goal:

- Encourage the cooperation and participation of Project Area property owners, public agencies, and community organizations in the elimination of blighting conditions and the promotion of new or improved development in all portions of the proposed Project Area.
- Provide a procedural and financial mechanism by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization, and enhancement of the community.
- Eliminate or alleviate conditions of blight without the power of eminent domain for the Reinvestment Plan; make all improvement activities and programs available to the public on a voluntary basis.

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 from time to time. Except when inconsistent with

this Plan 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.

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 Reinvestment Plan Maps for the Original Project Area and the Added Territory (Appendix A) also illustrate the proposed public rights-of-way, public easements, open space, and proposed land uses to be permitted in the Project Area, pursuant to the General 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.

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 Reinvestment Plan Maps for the Original Project Area and the Added Territory (Appendix A).

Such streets and rights-of-way may be widened, altered, realigned, abandoned, vacated, or closed by the Agency and the City as 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 public rights-of-way shall be used for vehicular 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 Reinvestment Plan Maps included herewith in Appendix A and described in Section 241 of this Plan. Additional open space will be provided through application of City standards for building setbacks. An estimated 350 to 400 acres will be devoted to open space, parks, trails, landscaping, building setbacks, yards, and rights-of-way in the Project Area.

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

Except as may be set forth in other Sections of this Plan, the type, size, height, number, and proposed use of buildings shall be limited by the applicable federal, state, and local statutes, ordinances, regulations and General Plan, as they may be amended from time to time, and any requirements that may be adopted pursuant to this Plan. Limitations on land use are indicated on the Reinvestment Plan Maps in Appendix A.

3. (§253) THE APPROXIMATE NUMBER OF DWELLING UNITS

Under the General Plan, approximately 250 new dwelling units would be permitted in the Project Area, bringing the overall number of dwelling units to about 3,250. These uses are limited as indicated on the Reinvestment Plan Maps in Appendix A.

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 Reinvestment Plan 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 for such purposes. Additional public facilities may be developed by school districts and 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. The Agency shall have the right, to the greatest extent permitted by law, to administratively interpret this Plan in order to determine whether such changes are in conformance with this Plan, including without limitation, the controls and project objectives of this Plan.

6. (§256) REHABILITATION AND RETENTION OF PROPERTIES

To the greatest extent permitted by law, any existing structure within the Project Area 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.

7. (§257) SUBDIVISION OR CONSOLIDATION OF PARCELS

No parcels in the Project Area 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. The Agency also may enact separate procedures, which shall be in addition to existing City procedures, for the review of building permits if the Agency deems such review necessary or beneficial to the implementation of this Plan.

2. (§262) MINOR VARIATIONS

The Agency is authorized to permit a minor variation from the limits, restrictions, and controls established by this Plan if the Agency determines that:

- 1) There are particular circumstances or conditions applicable to a property or to the intended development of a property which justify a minor variation;
- 2) Permitting a minor variation will not be materially detrimental to the public welfare or injurious to property or improvements in the Project Area; and
- 3) Permitting a minor variation will not be contrary to the objectives of this Plan or of the General Plan of the City.

No variation shall be granted that changes a basic land use or that permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under applicable City codes and ordinances.

3. (§263) EXISTING NONCONFORMING USES

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which does not conform to the provisions of this Plan, provided that such use is generally compatible with nearby developments and uses in the Project Area, and is otherwise permitted by applicable codes and ordinances. The owner of such property must be willing to enter into a participation agreement (see Section 311 of this Plan) and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan when it is determined that such improvements and uses would be compatible in the interim with surrounding uses and development.



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III. REDEVELOPMENT IMPLEMENTATION

A. (§300) GENERAL

The Agency is authorized to undertake the following implementation actions:

- 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 a business and other types of Real Property in the Project Area shall be given an opportunity to participate in redevelopment. Such opportunity may consist of retaining all or a portion of their properties, acquiring adjacent or other properties in the Project Area, or, where the Agency deems appropriate, by selling their properties to the Agency and purchasing other properties in the Project Area or in such other manner as the Agency shall deem to be appropriate. To the extent now or hereafter permitted by law, the Agency may establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating residential, commercial or industrial buildings or structures within the Project Area.

In the event anyone designated as a participant pursuant to this Plan fails or refuses to rehabilitate or develop his or her Real Property pursuant to this Plan and a participation agreement with the Agency, the Real Property, or any interest therein, may be acquired

by the Agency subject to the limitations set forth in this Plan, and sold or leased for rehabilitation or development in accordance with this Plan.

Participation opportunities shall necessarily be subject to and limited by such factors as the land uses designated for the Project Area, the provision of public facilities, realignment of streets, experience in the development or operation of such undertakings as may be deemed appropriate by the Agency to best implement this Plan, the ability of owners to finance acquisition and development of structures in accordance with this Plan, the ability of owners to manage or operate the proposed development or activity, or any change in the total number of individual parcels in the Project Area.

In order to provide an opportunity to owners and tenants to participate in the growth and development of the Project Area, the Agency has promulgated rules for owner and tenant participation. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants. Some of the factors considered in establishing the priorities and preferences include present occupancy, participant's length of occupancy in the area, accommodation of as many participants as possible, similar land use to similar land use, conformity of participant's proposals with the intent and objectives of this Plan, experience with the development and operation of particular uses, and ability to finance the implementation, development experience, and total effectiveness of each participant's proposal in providing a service to the community.

Subject to the Agency's rules for owner participation, opportunities to participate shall be provided to owners and tenants in the Project Area.

In addition to opportunities for participation by individual persons and firms, participation, to the extent it is feasible, shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

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.

3. (§314) PARTICIPATION AGREEMENTS

At the Agency's option, each participant may be required to enter into a binding agreement with the Agency by which the participant agrees to develop, rehabilitate, or use the property in conformance with this Plan and be subject to the provisions in the participation agreement. In such agreements, participants who retain Real 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.

4. (§315) CONFORMING OWNERS

The Agency may, in its sole and absolute discretion, determine that certain Real Property within the Project Area presently meets the requirements of this Plan. This will continue to be the case as long as such owner continues to operate, use, and maintain the Real Property within the requirements of this Plan. However, a conforming owner may be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to construct any additional improvements or substantially alter or modify existing structures on any of the Real Property described above as conforming; or, acquire additional property within the Project Area.

C. (§320) PROPERTY ACQUISITION AND MANAGEMENT

1. (§321) ACQUISITION OF REAL PROPERTY

The Agency may acquire, but is not required to acquire, any Real Property located in the Project Area by gift, devise, exchange, purchase, or any other lawful method, except eminent domain.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in Real Property less than a fee.

Properties may be acquired and cleared by the Agency if a determination is made that one or more of the following conditions exist:

- 1) The buildings and/or structures must be removed in order to assemble land into parcels of reasonable size and shape to eliminate an impediment to optimal land development;
- 2) The buildings and/or structures are substandard as demonstrated by an inspection of the property by the Building Department of the City of Riverbank;
- 3) The buildings and/or structures must be removed in order to eliminate an environmental deficiency, including, but not limited to, incompatible land uses and small and irregular lot subdivisions;
- 4) The buildings and/or structures must be removed to provide land for needed public facilities, including among others, rights-of-way, public parking facilities, open space, or public utilities;
- 5) The acquisition of the property is allowed by the CRL and will promote the implementation of the Plan.

Other provisions of this section notwithstanding, the Agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

2. (§322) ACQUISITION OF PERSONAL PROPERTY

Generally, personal property shall not be acquired. However, where necessary for the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

3. (§323) 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 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 extent permitted by law.

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

The following provisions relative to the relocation of persons, families and businesses are required by the CRL.

1. (§331) RELOCATION ASSISTANCE

Relocation advisory assistance will be furnished by the Agency, in accordance with the State Guidelines set forth in the California Relocation Assistance Law (Government Code Section 7260 et seq.) and Cal. Code Regs., tit. 25, Section 6000 et seq., to any person, business concern, or other, if any, that is displaced by the Agency in connection with the implementation of the Plan. In order to carry out the Project with a minimum of hardship to persons, business concerns, and others, if any, displaced by the Project, the Agency shall assist such persons, business concerns, and others in finding new locations within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

No person of low- or moderate-income will be required by the Agency to move from his or her dwelling until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Replacement housing shall be, among other things, decent, safe, and sanitary, available in areas not generally less desirable with regard to public utilities, public and commercial facilities, and reasonably accessible to the place of employment. The Agency may also provide housing inside or outside the Project Area for displaced persons.

2. (§332) RELOCATION METHOD

The Agency shall prepare a feasible method for relocation of all of the following:

- 1) Families and persons to be temporarily or permanently displaced from housing facilities in the Project Area.
- 2) Nonprofit local community institutions to be temporarily or permanently displaced from facilities actually used for institutional purposes in the Project Area.

- 3) The City Council shall insure that such method of the Agency for the relocation of families or single persons to be displaced by a project shall provide that no persons or families of low-and moderate-income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

3. (§333) RELOCATION PAYMENTS

The Agency shall make relocation payments to persons, businesses, and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.) and Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available

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, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, or overpasses, underpasses, bridges, and landscaped areas.

4. (§344) PUBLIC IMPROVEMENTS

The Agency may, with the consent and cooperation of the City Council and adoption of certain findings specified in CRL Sections 33445 and 33679, 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 or facilities listed below:

Original Project Area

Streets

- Reconstruct streets in the downtown area
- Construct bike trails where needed throughout
- Widen Oakdale
- Underground utilities from Estelle to Callender
- Install traffic signal at SR-108 and Jackson, Patterson and Roselle, and Roselle and Morrill
- Widen and reconstruct Roselle
- Construct and reconstruct curbs, gutters, and sidewalks where needed throughout
- Construct embedded crosswalks at 5th and Atchison
- Construct crossing at Oakdale and Main MID Canal
- Construct/install/plant viaduct landscaping improvements
- Construct ADA sidewalk improvements
- Construct railroad overpass and pedestrian safety features
- Upgrade streetlights
- Construct roundabouts downtown and on SR-108
- Install streetlights on crosswalks near Cardozo School
- Pave alleys where needed throughout
- Install traffic cameras where needed throughout

Water

- Upgrades to distribution system
- Replace wells 2 and 3
- Upgrade wells 10 and 11
- Upgrade water main on Oakdale
- Construct water tank in eastern portion of City
- Improve well at River Heights and 8th

- Upgrade water line in Railroad between Patterson and Sierra, Kentucky between Terminal and 8th, alley between 7th and 8th, alley between Topeka and Sierra, and Orange between 2nd and Burneyville
- Upgrade water lines where needed throughout

Sewer

- Construct sewer main on California
- Construct sewer main at Santa Fe and Claus
- Upgrade sewer main on Jackson from Stanislaus to Topeka, on Topeka from Jackson to Church
- Upgrade sewer lines where needed throughout
- Renovate and improve the wastewater treatment plant
- Reconstruct Crossroads pump station

Drainage

- Construct and upgrade storm drain lines where needed throughout, especially downtown where the sewer system becomes overloaded in intense rain
- Construct storm drain basins where needed throughout
- Construct pump stations where needed throughout
- Construct drain inlets at Claus and Santa Fe, and connect them to new Santa Fe storm drain line
- Construct drain inlets at Van Dusen at Terminal and connect to existing storm drain line in Van Dusen
- Construct storm drain line, manholes, and connections in Parsley between Jackson and Callender, Patterson at Callender, Sierra at Palmer, High and Riverside between the corporate yard and 1st, Santa Fe between 3rd and 4th, Patterson between Roselle and 1st, Patterson at Palmer, Patterson between Terminal and 8th, Kentucky between Terminal and 8th

Public Facilities

- Improve ADA access to public buildings
- Renovate community pool and pool building
- Construct CNG maintenance facility
- Renovate corporate yard
- Construct/install entry signs
- Renovate Scout Hall
- Construct Performing Arts Center
- Construct downtown parking lots and structure

- Expand/renovate museum
- Install web cam for skate park
- Various equipment needs for Sheriff's Department
- Expansion of Sheriff's facility
- Various graffiti removal equipment needs
- Construct downtown park with gazebo, statue, play equipment, and picnic facilities
- Install decorative lights and speaker system
- Expand Community Center to add Teen Center
- Provide materials for downtown murals
- Construct/install gateway entry to the City
- Construct market place and plaza downtown
- Various maintenance equipment needs
- Construct additional parks where needed throughout
- Install play equipment and gazebos where needed throughout
- Construct ADA improvements where needed throughout
- Construct a community park sports complex
- Make various improvements to basketball courts
- Construct dog park
- Construct BMX park
- Construct tot lots where needed throughout
- Construct amphitheater at Jacob Myers Park
- Construct bridge, walking path, nature park, and trails at Jacob Myers Park

Added Territory

Roads

- Clear & Grub
- Grading
- Pavement
- Street Lighting
- Traffic Signal
- Curb, Gutter Sidewalk
- Various improvements necessary to redevelop the area

Utilities

- Electrical
- Gas
- Telephone
- Various improvements necessary to redevelop the area

Water

- 12 inch Water
- 8 inch Water
- Hydrants
- 2M Gallon Water Tank
- Booster Pump
- Valves
- Various improvements necessary to redevelop the area

Sewer

- 12 inch Trunk
- 8 inch Trunk
- 8 inch Force Main
- Lift Station
- Manholes
- Various improvements necessary to redevelop the area

Other

- On-Site Storm System
- Landscaping
- Railroad tracks and related rights-of-way
- Various building code upgrades
- Fire suppression
- ADA compliance
- Asbestos, lead paint, and other hazardous material remediation
- Various improvements necessary to redevelop the area

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, congestion management program, air quality management plan, or any other regional or local regulatory program.

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. The Agency may also develop and implement programs for the installation of noise attenuation insulation on low and moderate-income dwellings that are adversely impacted by noise.

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, State and local guidelines. The Agency shall make every feasible effort to conserve any structure determined to be historically significant.

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 Real Property.

In the manner required and to the extent permitted by law, before any interest in Real 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. Real 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, rights of reverter, 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 race, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, 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 race, color, creed, religion, sex, marital status, national origin, or ancestry, 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, and other applicable Riverbank 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.



IV. LOW- AND MODERATE-INCOME HOUSING

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

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

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.

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 Real 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. 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. 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 Sections 33413 and 33413.5, 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 as defined by Section 50052.5 of the Health and Safety Code, 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

Pursuant to CRL Section 33334.2(g), the Agency has found that the provision of low- and moderate-income housing both inside and outside the Project Area, particularly by the rehabilitation of existing housing stock is of benefit to the Project Area. In encouraging the development of such dwelling units, the Agency shall comply with CRL Sections 33334.2(g) and 33413(b).

Because redevelopment law may change during the life of this Plan, the Agency will comply with CRL Section 33413, or any subsequent provisions that may be added.

As of Project adoption, CRL Section 33413 states that 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.

At least fifteen percent (15%) of all new and substantially rehabilitated units (as defined by the CRL) 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 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 may purchase long-term affordability covenants for units to the greatest extent allowed by law.

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 in the City 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.



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V. PROJECT FINANCING

A. (§500) GENERAL DESCRIPTION OF THE PROPOSED FINANCING METHOD

Upon adoption of this Plan by the City Council, the Agency, if it deems appropriate, is authorized to finance the Project with assistance from the City of Riverbank, the County of Stanislaus, the State of California, United States Government, any other public agency, property tax increments, interest revenue, income revenue, Agency-issued notes and bonds, or from any other available sources of financing that are legally available.

The City may, in accordance with the law, supply advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established from time to time by agreement between the City and Agency.

B. (§510) TAX INCREMENTS

TAX INCREMENTS FROM THE ORIGINAL PROJECT AREA

Pursuant to CRL Section 33670, for a period not to exceed forty-five (45) years from the date of adoption of the Original Project Area, or such longer time as provided by the CRL, all taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of Stanislaus, City of Riverbank, 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 Original 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 Original 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 Stanislaus last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Original 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 bonds, 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 Original Project Area exceeds the total assessed value of the taxable property in the Original 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 Original Project Area shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Original 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 (2) 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.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

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.

TAX INCREMENTS FROM THE ADDED TERRITORY

Pursuant to CRL Section 33670, for a period not to exceed forty-five (45) years from the date of adoption of the Added Territory, or such longer time as provided by the CRL, all taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of Stanislaus, City of Riverbank, 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:

- 5) 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 Added Territory 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 Added Territory 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 Stanislaus last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Added Territory on said effective date); and,
- 6) 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 bonds, 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 Added Territory exceeds the total assessed value of the taxable property in the Added Territory, 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 Added Territory shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Added Territory shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid; and,
- 7) That portion of the taxes identified in paragraph (2) 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.
- 8) 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.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

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. (§511) OTHER TAX INCREMENT PROVISIONS

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

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.

Taxes levied in the Project Area and allocated to the Agency as provided in CRL Section 33670 may, to the greatest extent legally allowable, be used anywhere within the territorial jurisdiction of the Agency to finance the construction or acquisition of public improvements which will enhance the environment of a residential neighborhood containing housing for persons and families of low- or moderate-income, and public improvements which will be of benefit to the Project Area.

D. (§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. Such bonds or notes shall be issued only after the Agency has determined that funds are, or will be, available to repay or refinance principal and interest when due and payable.

E. (§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 indebtedness may be paid from tax increments or any other funds available to the Agency.

F. (§540) FINANCING LIMITATIONS

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

Original Project Area

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 Original Project Area shall not exceed One Hundred and Forty Million Dollars (\$140,000,000) at any one time, except by further amendment of this Plan.

No loans, advances, or indebtedness to finance, in whole or in part, this Project and to be repaid from the allocation of taxes from the Original Project Area, as 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 the Original Project Area. This time limit shall not prevent the Agency from incurring debt to be paid from the low- and moderate-income housing fund (see Section 550) or establishing more debt in order to fulfill the Agency's obligations pursuant to CRL Section 33413.

The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Original Project Area pursuant to Section 33670 of the Community Redevelopment Law beyond forty-five (45) years from the date of adoption of the Original Project Area.

Added Territory

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 Added Territory shall not exceed ***** (\$**,000,000) at any one time, except by further amendment of this Plan.

No loans, advances, or indebtedness to finance, in whole or in part, this Project and to be repaid from the allocation of taxes from the Added Territory, as 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 the Added Territory. This time limit shall not prevent the Agency from incurring debt to be paid from the low- and moderate-income housing fund (see Section 550) or establishing more debt in order to fulfill the Agency's obligations pursuant to CRL Section 33413.

The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Added Territory pursuant to Section 33670 of the Community Redevelopment Law beyond forty-five (45) years from the date of adoption of the Added Territory.

G. (§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.

H. (§560) PAYMENTS TO TAXING AGENCIES

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



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

Original Project Area

Pursuant to CRL Section 33333.2, the effectiveness of this Plan in the Original Project Area shall terminate at a date which shall not exceed thirty (30) years from the date of adoption of the Original Project Area. After the time limit on the effectiveness of this Plan in the Original Project Area, the Agency shall have no authority to act pursuant to this Plan in the Original Project Area, except to pay previously incurred indebtedness, to enforce existing covenants or contracts, including nondiscrimination and nonsegregation provisions, which shall run in perpetuity, and to complete its housing obligation in accordance with CRL Section 33333.8.

Added Territory

Pursuant to CRL Section 33333.2, the effectiveness of this Plan in the Added Territory shall terminate at a date which shall not exceed thirty (30) years from the date of adoption of the Added Territory. After the time limit on the effectiveness of this Plan in the Added Territory, the Agency shall have no authority to act pursuant to this Plan in the Added Territory, except to pay previously incurred indebtedness, to enforce existing covenants or contracts, including nondiscrimination and nonsegregation provisions, which shall run in perpetuity, and to complete its housing obligation in accordance with CRL Section 33333.8.

C. (§620) PROCEDURE FOR PROJECT 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. 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 privileges 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 rules for owner participation.



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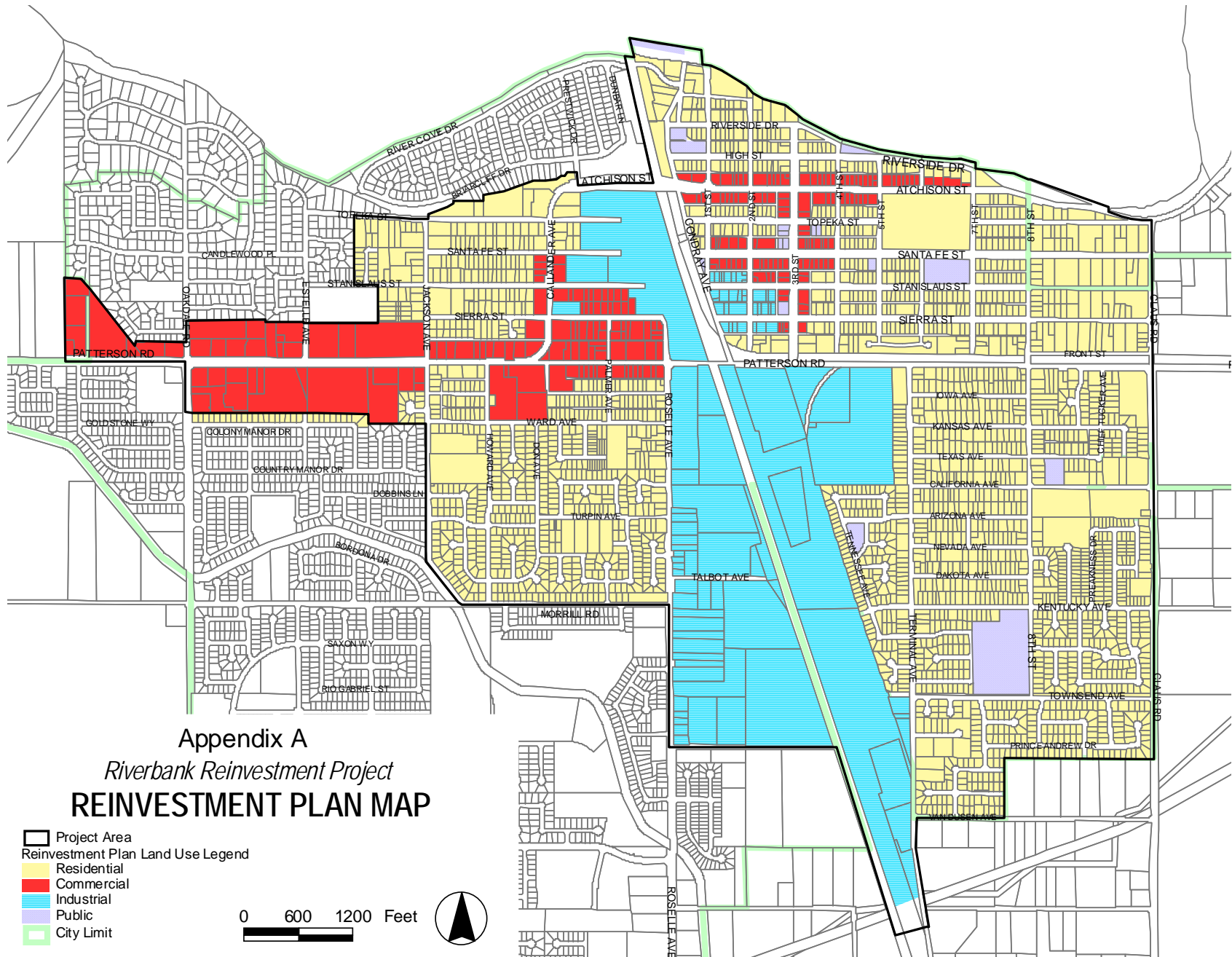


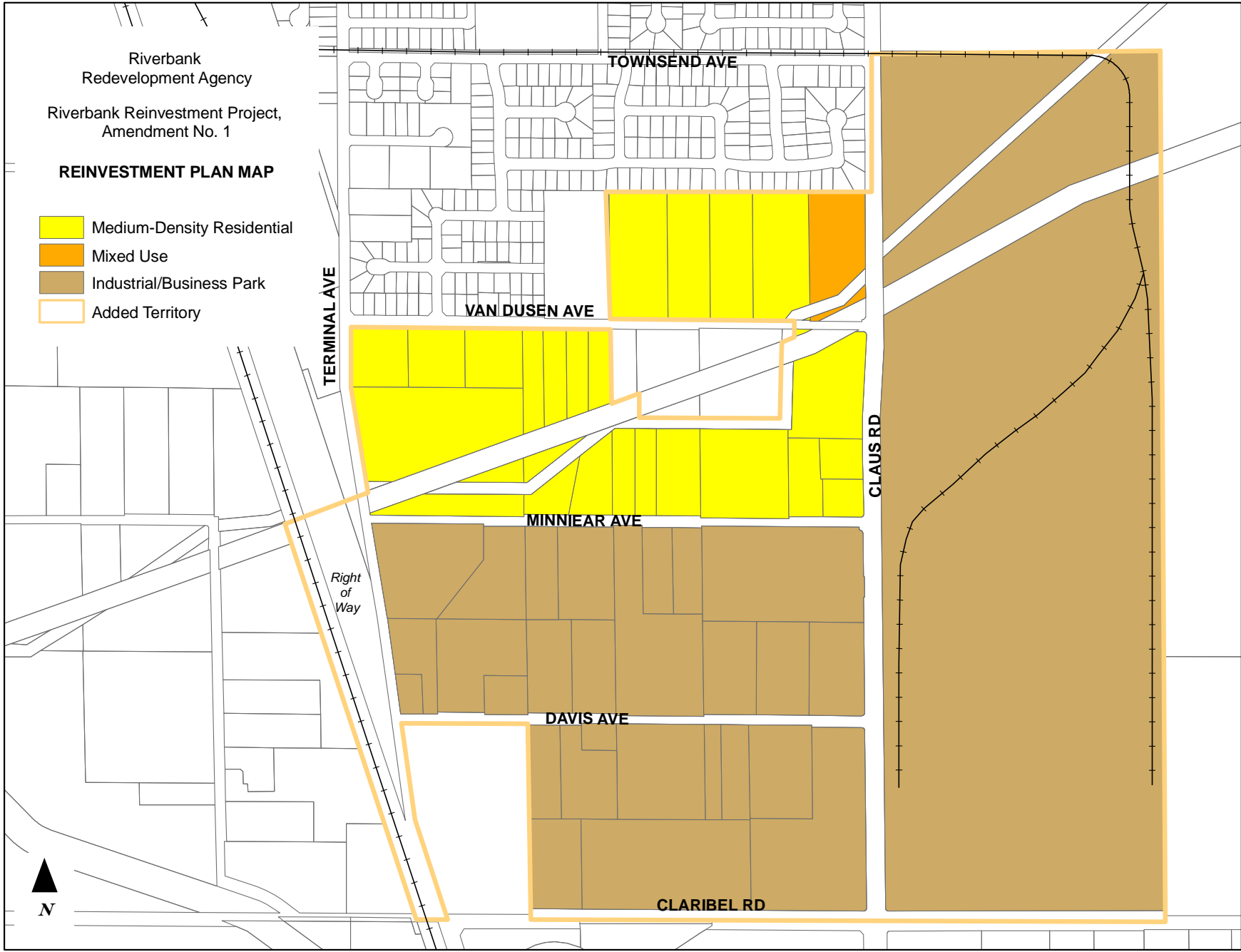
APPENDIX A
Reinvestment Plan Map



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APPENDIX B
Project Area Legal Description



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August 23, 2004

LEGAL DESCRIPTION
Riverbank Redevelopment Agency

RIVERBANK REINVESTMENT PROJECT

This Legal Description is to be used in conjunction with the Boundary Map of Riverbank Redevelopment Agency. The course numbers on the description correspond with the course number shown on the Boundary Map. All of that certain real property in the County of Stanislaus , State of California described as follows:

POB

Beginning at the intersection of the centerline of Pocket Avenue, 40 feet wide, with the centerline of Roselle Avenue, 75 feet wide; thence

1. North a distance of 1,550 feet more or less along said centerline to its intersection with the centerline of Morrill Road, 75 feet wide; thence
2. West a distance of 2,300 feet more or less along said centerline to its intersection with the northeasterly Right-of-Way line of M.I.D. Main Channel, 100 feet wide; thence
3. North 38° West a distance of 550 feet more or less along said northeasterly Right-of-Way line to its intersection with the centerline of Jackson Avenue, 60 feet wide; thence
4. North a distance of 1,550 feet more or less along said centerline to its intersection with the north line of Meyer Gardens as shown on Map 37 Page 3 of Subdivision Maps, Records of said County; thence
5. West a distance of 650 feet more or less along said north line to its intersection with the east line of Crossroads No. 2 as shown on Map 34 Page 16 of Subdivision Maps, Records of said County; thence
6. North a distance of 110 feet more or less along said east line to its intersection with the north line of said Crossroads No. 2 ; thence
7. West a distance of 1,980 feet more or less along said north line and the north line of Crossroads No. 1 as shown on Map 34 Page 15 of Subdivision Maps, Records of said County to its intersection with the centerline of Oakdale Road, 75 feet wide; thence
8. North a distance of 555 feet more or less along said centerline to its intersection with the centerline of Patterson Road, 118 feet wide; thence

9. West a distance of 1,330 feet more or less along said centerline to its intersection with the a line of 223 feet westerly and parallel with the centerline of Cipponeri Road; thence
10. North a distance of 910 feet more or less along said parallel line to its intersection with a line 890 feet northerly and parallel with the centerline of Patterson Road , 110 feet wide; thence
11. East a distance of 188 feet more or less along said parallel line to its intersection with the northwesterly prolongation of the southwesterly line of Lynwood Heights as shown on Map 27 Page 37 of Subdivision Maps, Records of said County; thence; thence
12. South 38° East a distance of 930 feet more or less along said northwesterly prolongation line to its intersection with the southeasterly line of Lot No. 17 of said Lynwood Heights; thence
13. North 12° East a distance of 40 feet more or less along said southeasterly line to its intersection with the south line of said Lynwood Heights; thence
14. East a distance of 550 feet more or less along said south line and its prolongation to its intersection with the centerline of Oakdale Road, 60 feet wide; thence
15. North a distance of 230 feet more or less along said centerline to its intersection with the westerly prolongation of the south line of Candlewood Terrace No. 3 as shown on Map 26 Page 51 of Subdivision Maps, Records of said County; thence ; thence
16. East a distance of 865 feet more or less along said prolongation and said south line and its easterly prolongation to a line 450 feet westerly and parallel with the centerline of Estella Avenue; thence
17. South a distance of 16 feet more or less along said parallel line to its intersection with the westerly prolongation of the north line of Parcel Map recorded in book 47 Page 63 of Parcel Maps , Records of said County; thence
18. East a distance of 420 feet more or less along said prolongation and said north line to its intersection with the west Right-of-way line of Estella Avenue, 60 feet wide; thence
19. South a distance of 8 feet more or less along said west Right-of-way line to its intersection with a line 436 feet northerly and parallel with the centerline of Patterson Avenue; thence
20. East a distance of 820 feet more or less along said parallel line to its intersection with a line 444 feet westerly and parallel with the center line of Jackson Avenue, thence
21. North a distance of 411 feet more or less along said parallel line to its intersection with the centerline of Stanislaus Street, 60 feet wide; thence
22. West a distance of 260 feet more or less along said centerline to its intersection with the west line of River Cliff Estates No. 2 as shown on Map 34 Page 41 of Subdivision Maps, Records of said County; thence

23. North a distance of 770 feet more or less along said west line and its northerly prolongation to its intersection with the centerline of Jackson Avenue, thence
24. South 86° East a distance of 830 feet more or less along said centerline to its intersection with the northerly prolongation of the east Right-of-way line of Jackson Avenue, 60 feet wide; thence
25. North a distance of 56 feet more or less along said prolongation; thence
26. North 71° East a distance of 233.68 feet more or less along said
27. North 62° East a distance of 74.94 feet more or less along said
28. North a distance of 35.60 feet more or less; thence
29. East a distance of 328.90 feet more or less; thence
30. North a distance of 65.08 feet more or less; thence
31. North 80° East a distance of 220.54 feet more or less; thence
32. North 71° East a distance of 346.73 feet more or less; thence
33. East a distance of 128.20 feet more or less; thence
34. North 81° East a distance of 146.24 feet more or less ; thence
35. North 61° East a distance of 64.62 feet more or less; thence
36. East a distance of 32 feet more or less; thence
37. North 37° East a distance of 43.28 feet more or less; thence
38. East a distance of 115.00 feet more or less to its intersection with the centerline of Prestwick Drive, 60 feet wide; thence
39. South a distance of 150 feet more or less along said centerline to its intersection with the centerline of Atchison Street (State Highway 108); thence
40. Easterly a distance of 870 feet more or less along said centerline to its intersection with the southwesterly Right-of-way line of Atchison Topeka and Sante Fe Railroads; thence
41. North 12° West a distance of 1540 feet more or less along said southwesterly Right-of-way line to its intersection with the centerline of Stanislaus River, also being the Riverbank City Boundary; thence
42. Southeast a distance of 5560 feet more or less along said Riverbank City Boundary to its intersection with a line 498.25 feet westerly and parallel with the west Right-of-way line of Clause Road, 40 feet wide; thence

43. South a distance of 60 feet more or less along said parallel line to its intersection with a line the centerline of Atchison Street (Highway 108); thence
44. Southeasterly a distance of 520 feet more or less along said centerline to its intersection with the centerline of Clause Road, 40 feet wide; thence
45. South a distance of 5,900 feet more or less along said centerline to its intersection with a line 670 feet northerly and parallel with the center line of Van Dusen Avenue, 60 feet wide; thence
46. West a distance of 1640 feet more or less along said parallel line to its intersection with a the east line of Sierra Vista Estates No.2 as shown on Map 38 Page 55 of Subdivision Maps, Records of said County; thence
47. South a distance of 630 feet more or less along said east line to its intersection with the centerline of Van Dusen Avenue; thence
48. West a distance of 960 feet more or less along said centerline to its intersection with the centerline of Terminal Avenue, 55 feet wide; thence
49. Southeasterly a distance of 850 feet more or less along said centerline line to its intersection with a line 340 southeasterly and parallel with the southeasterly Right-of-way line of Hetch Hetchy Cannal; thence
50. South 10° West a distance of 370 feet more or less along said parallel line to its intersection with the southwesterly line of the Atchison Topeka and Santa Fe Railroad Right-of -way, 100 feet wide; thence
51. Northwesterly a distance of 2,300 feet more or less along said southwesterly Right-of-way line of the its intersection with centerline of Pocket Avenue ; Thence
52. West a distance of 1,780 more or less along said centerline to its intersection with the point of beginning

March 24, 2007

**RIVERBANK REINVESTMENT PROJECT,
AMENDMENT NO. 1**

Riverbank Redevelopment Agency
GEOGRAPHIC DESCRIPTION

This Legal Description is to be used in conjunction with the Boundary Map of **Riverbank Reinvestment Project, Amendment No. 1**. The course numbers on the description correspond with the course number shown on the said Boundary Map. This description is for that portion of real property of sections 31 and 36 Township 2 South, Range 10 East, M.D.B. & M. in the County of Stanislaus, State of California described as follows:

POB

Beginning at the intersection of the centerlines of Claribel Road and Claus Road; thence

1. Westerly a distance of 1,725 feet, more or less, along said centerline of Claribel Road; thence
2. Northerly a distance of 1,000 feet, more or less, to the centerline of Davis Avenue; thence
3. West a distance of 650 feet, more or less, along said centerline of Davis Avenue to the centerline of Terminal Avenue; thence
4. Southeast a distance of 1,030 feet, more or less, along said centerline of Terminal Avenue to the centerline of Claribel Road; thence
5. West a distance of 140 feet, more or less, along said centerline of Claribel Road to the westerly line of the Atchinsen Topica and Santa Fe right-of-way; thence
6. Northwesterly a distance of 1,735 feet, more or less, along said line of Atchinsen Topica and Santa Fe right-of-way to a point on the southerly line of the Riverbank Redevelopment Project; thence
7. Northeasterly along said Riverbank Redevelopment Project line to its intersection with the easterly Boundary line to its intersection with the easterly boundary line of said Riverbank Redevelopment Project (also known as the centerline of Terminal Avenue); thence
8. Northwesterly and North along said easterly Boundary line and centerline of Terminal Avenue to a point along the south Boundary line of said Riverbank Redevelopment Project also known as the centerline of Van Dusen Avenue; Thence
9. East along said Boundary line (also the centerline of Van Dusen Avenue) to an angle point along the easterly Boundary line of said Riverbank Redevelopment Project; Thence

10. Continuing East a distance of 455 feet, more or less, along said centerline of Van Dusen Avenue to its intersection with the northerly prolongation of the easterly line of parcel 2, 25-PM-29; Thence
11. South a distance of 391 feet , more or less, along said easterly line of parcel 2, to its intersection with the northerly line of the Hetch Hetchy 110'right-of-way; Thence
12. Northeast a distance of 901 feet, more or less; Thence
13. North a distance of 85 feet, more or less, to its intersection with the northerly right-of-way line of Van Dusen Avenue; Thence
14. West a distance of 1,170 feet, more or less, along said northerly right-of-way line of Van Dusen Avenue to its intersection with easterly Boundary line of the Riverbank Redevelopment Project; Thence
15. Northerly along said easterly Boundary line to an angle point along the south Boundary line of said Riverbank Redevelopment Project; Thence
16. East a distance along said south Boundary line to an angle point along the easterly Boundary line of said Riverbank Redevelopment Project (also known as the centerline of Claus Road); Thence
17. North a distance of 710 feet, more or less, along said easterly line of the Riverbank Redevelopment Project; Thence
18. East a distance of 1,440 feet, more or less; Thence
19. South a distance of 4,331 feet, more or less, to the centerline of Claribel Road; Thence
20. West a distance of 1445 feet, more or less, along said centerline of Claribel Road to the POINT OF BEGINNING.

AREA OF GEOGRAPHIC AREA = APPROX 320 ACRES

November 14, 2008

**Unified Report for the
Riverbank Reinvestment
Project, Amendment No. 1
(Riverbank Army
Ammunition Plant Closure)**

RIVERBANK REDEVELOPMENT AGENCY



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UNIFIED REPORT

Prepared for the

RIVERBANK REINVESTMENT PROJECT, AMENDMENT NO. 1

Prepared by:

URBAN FUTURES, INC. / GRC REDEVELOPMENT PLANNING

In Cooperation with the:

RIVERBANK REDEVELOPMENT AGENCY

November 2008



Unified Report for the Riverbank Reinvestment Project, Amendment No. 1 (Riverbank Army Ammunition Plant Closure)

CITY COUNCIL/ AGENCY

Chris Crifasi, *Mayor/Chair*
Sandra Benitez, *Vice-Mayor, Councilmember/Director*
Virginia Madueño, *Councilmember/Director*
Dave White, *Councilmember/Director*
David I. White, *Councilmember/Director*

PLANNING COMMISSION

Joan Stewart, *Chair/Commissioner*
Clint Bray, *Vice-Chair/Commissioner*
Patty Hughes, *Commissioner*
Jaime Lopez, *Commissioner*
Max Melendez, *Commissioner*

AGENCY STAFF

Richard P. Holmer, *City Manager*
Tim Ogden, *Economic Development & Housing Director*
J.D. Hightower, *Community Development Director*
Iris Yang, *Agency Special Counsel*



Unified Report for the Riverbank Reinvestment Project, Amendment No. 1 (Riverbank Army Ammunition Plant Closure)

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1.0 INTRODUCTION

In 2005, the Riverbank City Council (the "City Council") in conjunction with the Riverbank Redevelopment Agency (the "Agency") adopted a redevelopment plan (the "Riverbank Reinvestment Plan") for much of the central and eastern portion of the City (the "Existing Project Area"). See Figure 1 for a vicinity map of the City, and Figure 2 for a map of the Existing Project Area.

The Agency has now expressed a desire to amend the Reinvestment Plan (the "proposed Amendment") to include the Riverbank Army Ammunition Plant and adjacent properties in unincorporated Stanislaus County (the "Added Territory"). Taking such action would enable the Agency, in cooperation with Stanislaus County officials, to participate in a wide range of activities to help improve conditions in the area.

In order to begin the Amendment process, the City Council on October 23, 2006, designated a redevelopment survey area (the "Survey Area") near the southeast portion of the City. Because the Survey Area included portions of unincorporated Stanislaus County, the Stanislaus Board of Supervisors adopted a tandem resolution on November 13, 2006 by Resolution #2006-004, which is on file with the City Clerk and hereby incorporated by reference. See Figure 3 for a map showing the Existing Project Area and the adopted Survey Area.

On March 20, 2007, the Riverbank Planning Commission initially selected land from within the Survey Area for inclusion. Subsequent to that action, it was discovered that one full parcel and portions of two additional parcels are enforceably restricted for agricultural uses by the Williamson Act,¹ and, as such, may not be included in a redevelopment project. Therefore, on June 23, 2008, the Planning Commission revised the boundaries by removing these parcels, and designating the Added Territory. See Figure 4 for a map of the proposed Added Territory.

This proposed Amendment is being prepared by pursuant to the California Community Redevelopment Law (CCRL; Health and Safety Code, Section 33000, et seq.) and all applicable laws and ordinances.

This report includes the requirements for a Preliminary Report, and will be transmitted to each affected taxing entity in full compliance with CCRL Section 33344.5. Additionally, this report functions as the report to the State Department of Finance and the State Department of Housing and Community Development required by CCRL Section 33451.5(c), and shall be delivered to these departments in conformance with CCRL Section 33451.5(b). Therefore, this report is referred to as the "Unified Report." .

¹ The California Land Conservation Act of 1965 (Government Code Section 51280 et seq.).

1.1 **DEFINITIONS**

The following bold terms shall have the following meanings unless the context in which they are used clearly requires otherwise:

"Added Territory" means the area proposed to be added to the Riverbank Reinvestment Project by Amendment No. 1.

"AGA" means Alfred Gobar Associates, real estate economic consultants retained by the Agency to assist it to complete the adoption of the Amendment.

"Agency" means the Riverbank Redevelopment Agency.

"Agency Board" means the Board of Directors of the Agency. The members of the Agency Board are also the members of the City Council.

"Amended Project Area" means the Existing Project Area plus the Added Territory as a result of this Amendment No.1.

"Amended Reinvestment Plan" means the Reinvestment Plan as proposed to be amended by this Amendment No.1.

"Amendment" means the proposed Amendment No. 1 to the Reinvestment Plan.

"Blight Indicators" means the list of 40 conditions identified in Appendices A, B and C, and more fully described in Chapter 3.0 of this Unified Report. Blight Indicators are indications of those conditions that cause physical and economic blight based upon the definitions of such conditions established in CCRL Sections 33030 and 33031.

"CCRL" means the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) as currently drafted or as it may be amended from time to time.

"City" means the City of Riverbank.

"City Council" means the Riverbank City Council. The members of the City Council are also the members of the Agency Board.

"County" means the County of Stanislaus, State of California.

"deterioration" or **"physical deterioration"** means the cumulative and deleterious effects of wear and tear on a structure over time. Such deterioration may be the result of use or excessive use of a structure, or of the effects of the elements on a structure, which use or effects have not been rectified through a program of ongoing and adequate maintenance. Deterioration includes both conditions of "dilapidation" and "deterioration" as set forth in CCRL Section 33031(a)(1).

"Existing Plan" means the Riverbank Reinvestment Plan, adopted on June 27, 2005.

"Existing Project Area" means the territory within the Riverbank Reinvestment Plan.

"Field Reconnaissance" means the reconnaissance completed by UFI of all parcels in the proposed Added Territory, and is more completely described in Chapter 3.0 of this Unified Report.

"functional obsolescence" means a loss in value resulting from defects in design, or changes that, over time, have made some aspect of a structure obsolete by current standards.

"FY" means fiscal year, and runs from July 1 of any given calendar year to June 30 of the subsequent year.

"General Plan" means the current City of Riverbank General Plan.

"LMI Fund" means the Low and Moderate Income Fund of the Agency established pursuant to CCRL Section 33334.3.

"Metroscan" means First American Real Estate Solutions software program allowing access to records of the County Assessor. First American Real Estate Solutions provides the following caveat: "Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness contained in [any] report."

"Planning Commission" means the Riverbank Planning Commission.

"Reinvestment Plan" means the Redevelopment Plan for the Riverbank Reinvestment Project.

"State" means the State of California.

"Tax Increment" means the funds to be allocated to the Agency from the Existing Project Area or the proposed Added Territory pursuant to CCRL Section 33670.

"UFI" means Urban Futures, Inc., redevelopment consultants retained by the Agency to assist the processing of this Amendment.

"Unified Report" means this Unified Report, which includes the Preliminary Report required by CCRL Section 33344.5 and the report to the State Departments of Housing and Community Development and Finance required by CCRL Section 33451.5.

"Zoning Ordinance" means the zoning ordinance in the City in effect at the time of the adoption of the Amendment and as it may be amended from time to time. The Zoning Ordinance is codified as Title 18 of the Municipal Code.

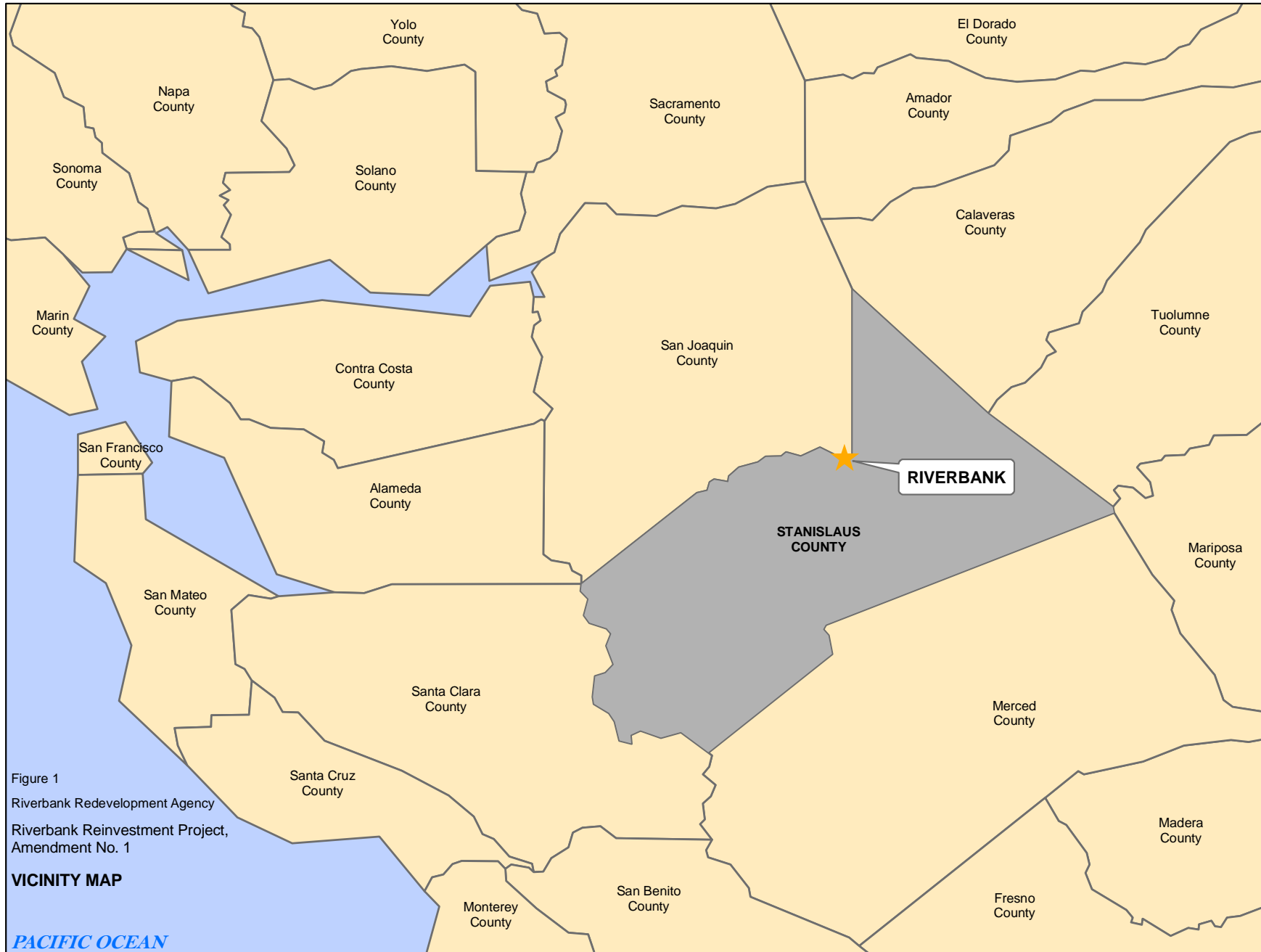
1.2 DESCRIPTION OF THE ADDED TERRITORY AND STATUS OF ITS LAND USE CONTROLS

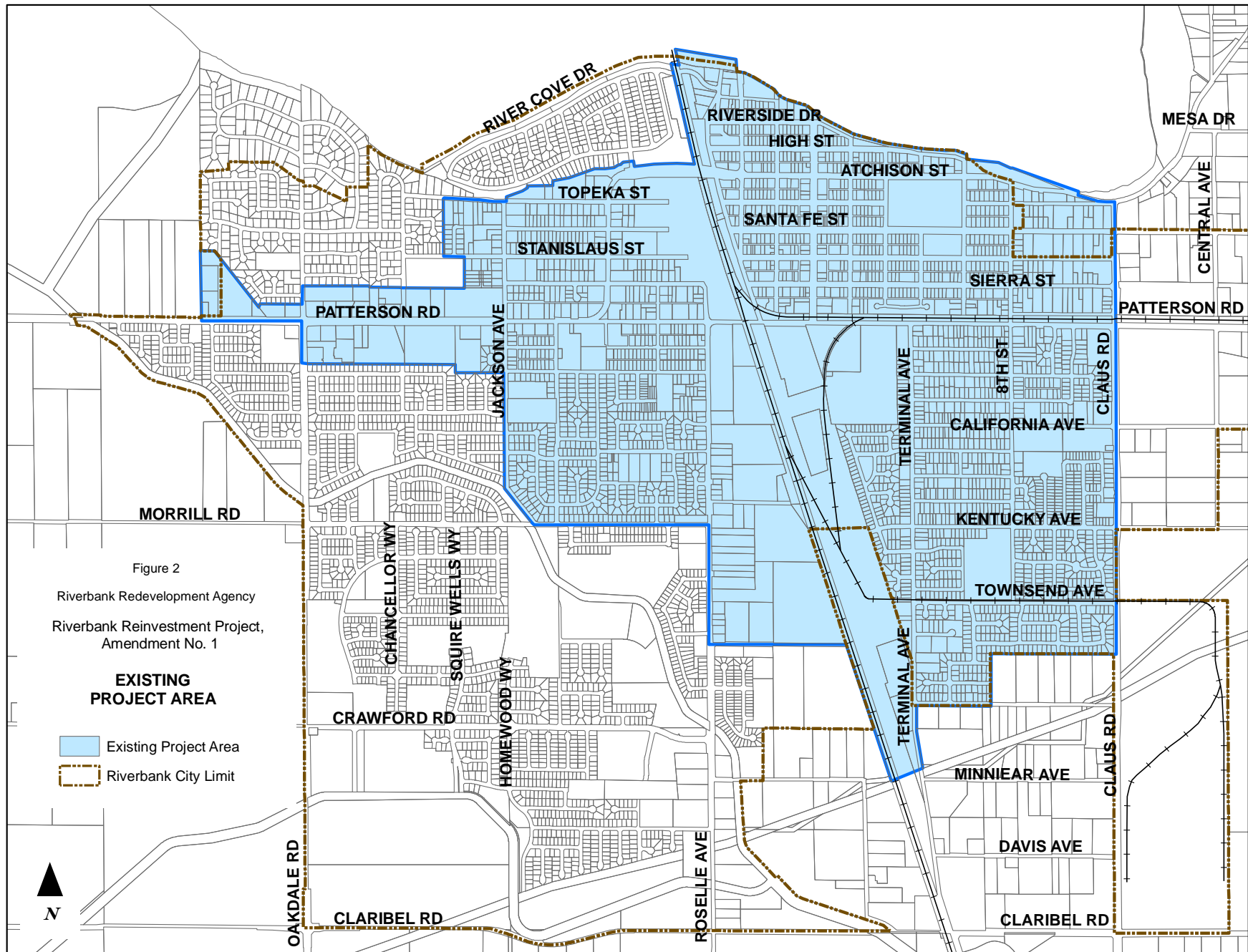
A breakdown of the existing land uses and the General Plan land uses in the Added Territory is found in Table 1 and Table 2 below. See Figures 5 and 6 for maps showing these uses.

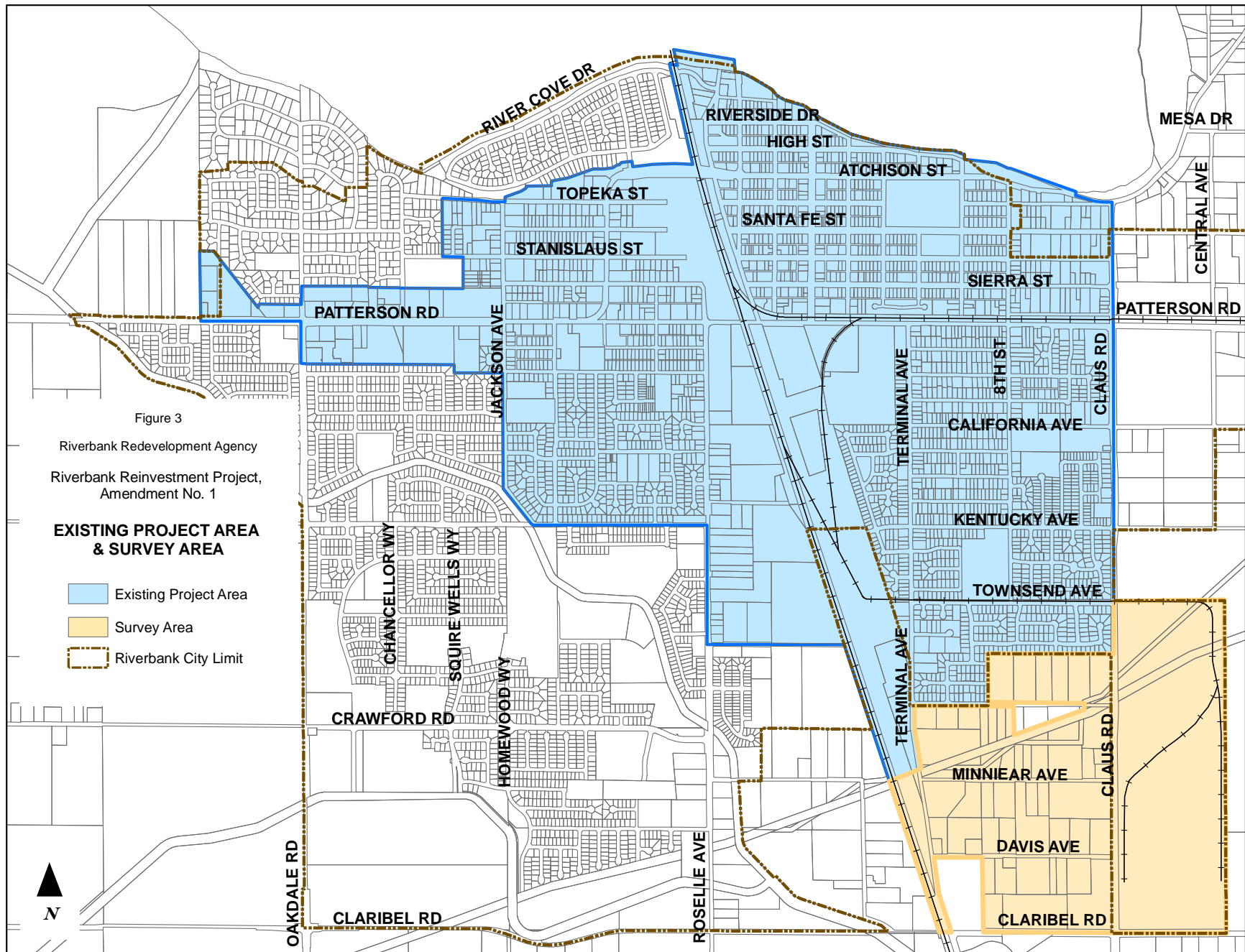
Upon final adoption of the Amendment, the General Plan will continue to govern land use policy within the Existing Project Area and the Added Territory. Implementation of the Amended Reinvestment Plan will be consistent with land use designations permitted by the General Plan and Zoning Ordinance, as they now exist and as they may be amended from time to time.

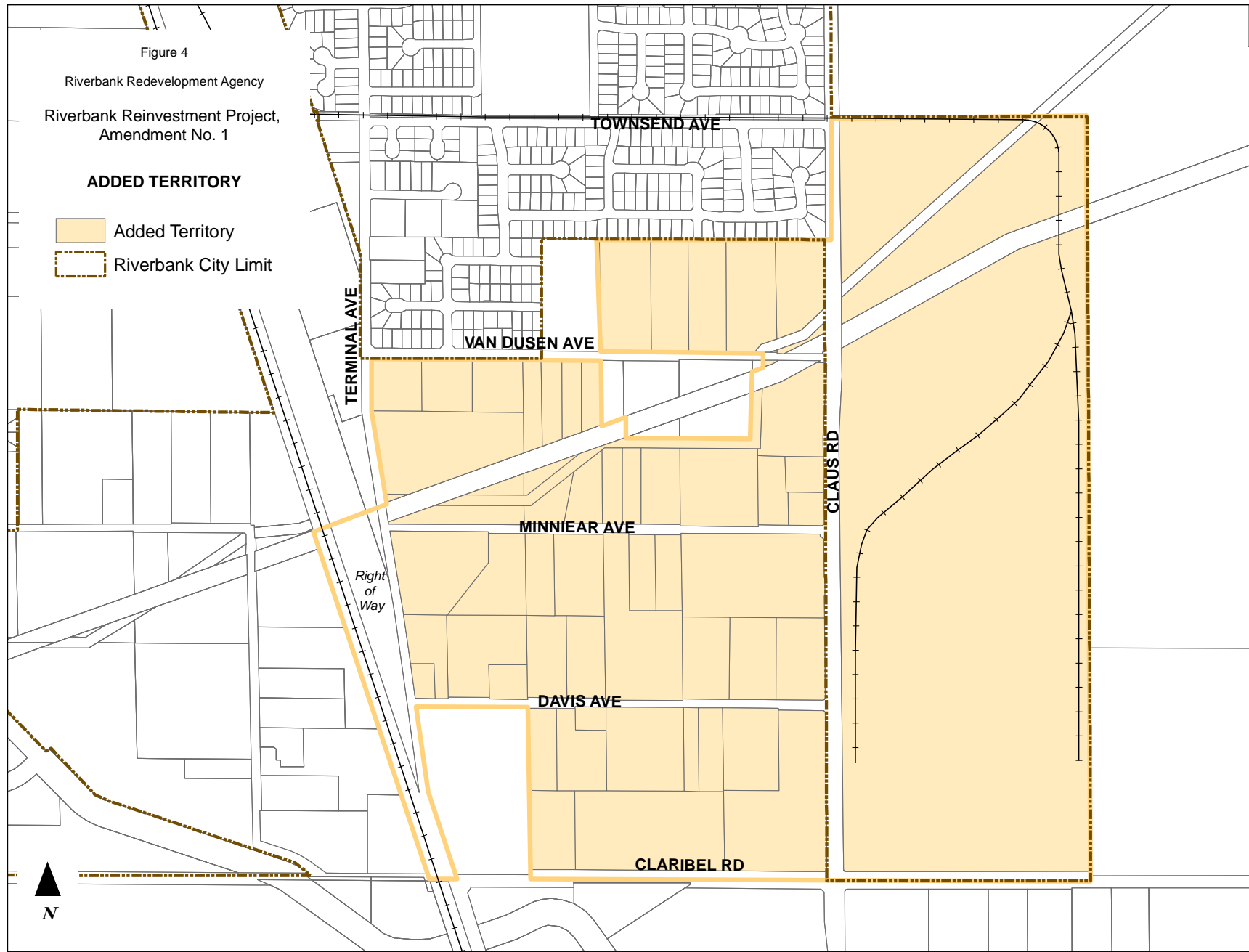
TABLE 1 EXISTING LAND USE				
EXISTING LAND USE TYPE	No. of Parcels	% of Total Parcels	No. of Acres	% of Total Acres
Residential	52	83.9%	122.0	38.1%
Industrial	1	1.6%	107.7	33.7%
Industrial/Residential	1	1.6%	8.8	2.8%
Parcelized Rights-of-Way	3	4.8%	14.3	4.5%
Vacant	5	8.1%	36.5	11.4%
Streets/Rights-of-Way	n/a	n/a	30.5	9.5%
TOTAL	62	100%	319.8	100%

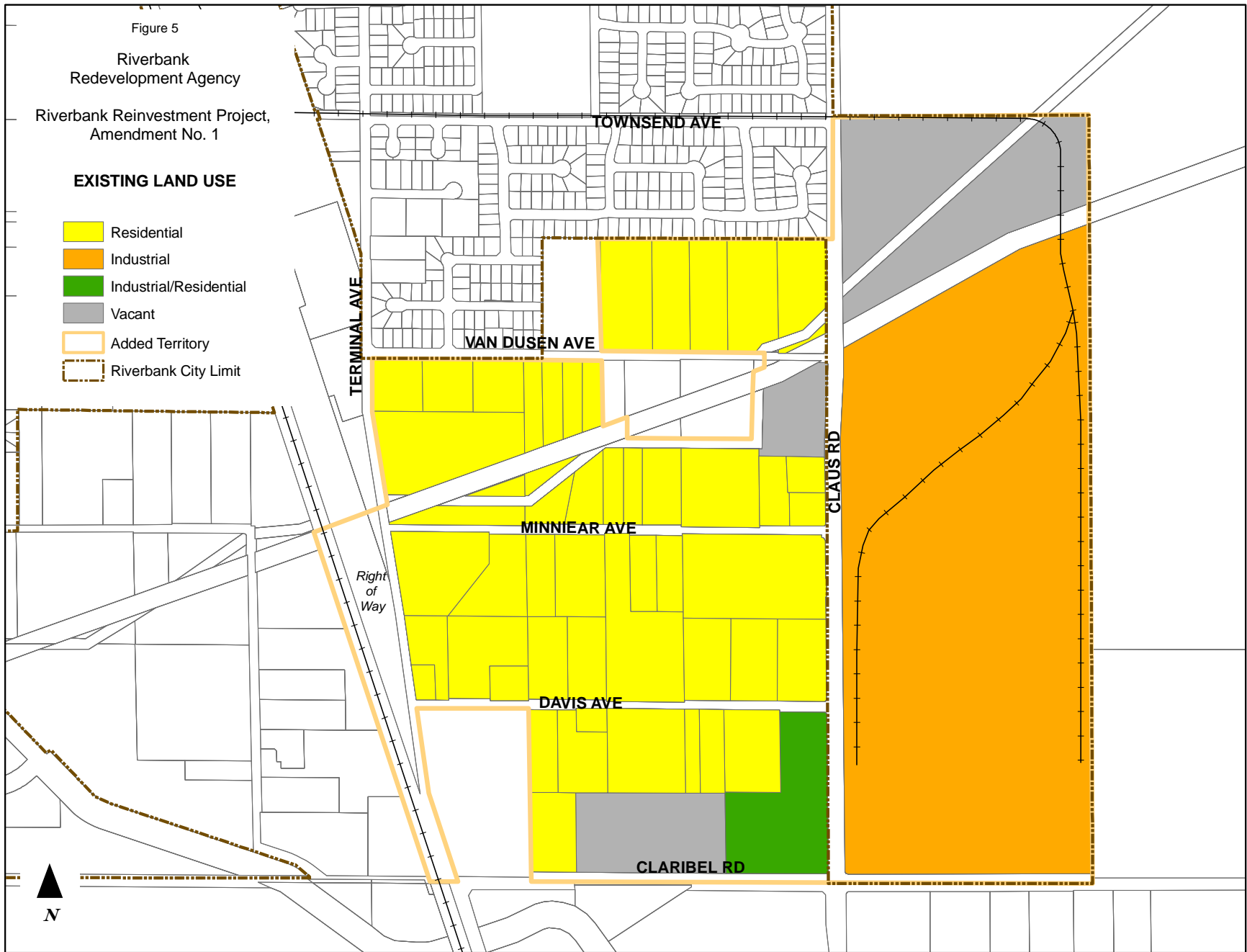
TABLE 2 GENERAL PLAN LAND USE				
GENERAL PLAN LAND USE TYPE	No. of Parcels	% of Total Parcels	No. of Acres	% of Total Acres
Medium-Density Residential	28	45.2%	53.1	16.6%
Mixed Use	1	1.6%	3.3	1.0%
Industrial/Business Park	30	48.4	218.6	68.4%
Parcelized Rights-of-Way	3	4.8%	14.3	4.5%
Streets/Rights-of-Way	n/a	n/a	30.5	9.5%
TOTAL	62	100%	319.8	100 %

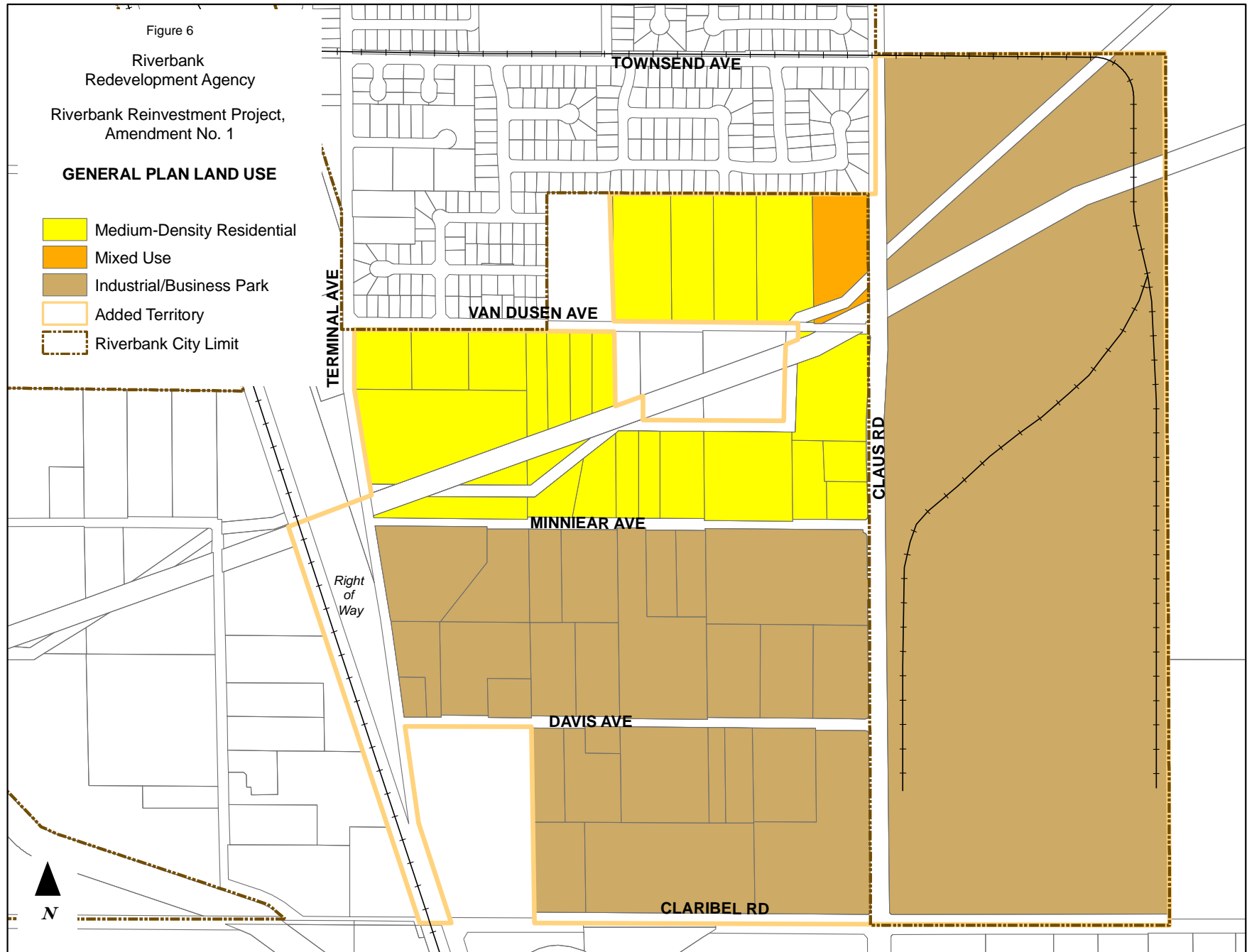














2.0 REQUIREMENTS OF LAW

2.1 PURPOSE AND USE OF REDEVELOPMENT AUTHORITY

The purposes of the CCRL are to protect and promote the sound development and redevelopment of blighted areas and to improve the general welfare of the inhabitants of the community. These purposes will be attained by redeveloping the proposed Added Territory (as well as the Existing Project Area), including, without limitation, planning, developing, replanning, redesigning, clearing, reconstructing or rehabilitating structures.

These purposes will further be attained by providing for residential, commercial, public, quasi-public or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them, thereby contributing to the public health, safety and welfare. Redevelopment of the Added Territory will also obtain the purposes of the CCRL by stimulating construction and rehabilitation activity, and increasing employment opportunities.

Such purposes will also be attained by attracting appropriate uses to stagnant, unproductive and/or under-productive areas, including the recycling of land uses into viable productive uses consistent with goals, objectives and policies of the General Plan and the implementation plan adopted by the Agency pursuant to CCRL Section 33352(c). Such purposes will also be obtained through use of the LMI Fund to increase, improve, and preserve the community's supply of housing which is affordable to persons and families of very low-, low-, and moderate-income.

Furthermore, the Agency intends to provide financial assistance for the development of additional uses and rehabilitation in a manner which will make such development economically feasible. Redevelopment of the Added Territory will attain the objectives and purposes of the CCRL by reversing the physical and economic decline described in this Report.

Without redevelopment, local government agencies like the City have only limited powers and resources to positively affect areas such as the Added Territory. One of these powers is the power of regulation, whereby cities, using their police powers, "regulate" certain activities and improvements to real estate. Such regulation suffers from two drawbacks. In the first place, regulation, by its nature, demands "minimum" standards to which all must comply rather than encouraging individual property owners to improve their properties to higher standards. Secondly, municipal general funds, which have been greatly reduced over the past decade, can only in very limited cases be expended to upgrade specific private property or in any other way be "proactive" with respect to community image building and economic development. Other than expenditure of these municipal funds for public works, or the use of very limited Federal or State grant funds (which have also been

substantially reduced) in conjunction with private development, a city cannot upgrade specific private property.

Even these municipal funds available for economic development have been greatly reduced over the past decade. The Federal government has substantially reduced its level of funding for economic development activities. Over 30 years ago, California voters adopted Proposition 13 which imposed significant restrictions on new or increased property taxes. In November, 1996 the voters approved Proposition 218 which requires voter approval to impose, increase or extend taxes and other government levies. Propositions 13 and 218 together make it extremely difficult, if not impossible, for local governments to raise additional funds.

2.2 REQUIRED COMPONENTS OF THE PRELIMINARY REPORT PURSUANT TO CCRL SECTION 33344.5

CCRL Section 33344.5 provides information relating to the required elements of a preliminary report. This section is quoted in its entirety below:

33344.5

After receiving the report prepared pursuant to CCRL Section 33328, or after the time period for preparation of that report has passed, a redevelopment agency that includes a provision for the division of taxes pursuant to CCRL Section 33670 in the redevelopment plan shall prepare and send to each affected taxing entity, as defined in CCRL Section 33353.2, no later than the date specified in CCRL Section 33344.6, a preliminary report which shall contain all of the following:

- (a) The reasons for selecting the proposed project area.
- (b) A description of the physical and economic conditions existing in the project area.
- (c) A description of the project area which is sufficiently detailed for a determination as to whether the project area is predominantly urbanized. The description shall include at least the following information, which shall be based upon the terms described and defined in CCRL Section 33320.1:
 - (1) The total number of acres within the project area.
 - (2) The total number of acres that are characterized by the condition described in paragraph (4) of subdivision (a) of CCRL Section 33031.
 - (3) The total number of acres that are in agricultural use. "Agricultural Use" shall have the same meaning as that term is defined in subdivision (b) of Section 51201 of the Government Code.²

² Government Code Section 51201(b) defines "agricultural use" as "use of land for the purpose of producing an agricultural commodity for commercial purposes." An "agricultural commodity" is defined in Government Code Section 51201(a) as "any and all plant and animal products produced in this state for commercial purposes."

- (4) The total number of acres that are an integral part of an area developed for urban uses.
 - (5) The percent of property within the project area that is predominantly urbanized.
 - (6) A map of the project area that identifies the property described in paragraphs (2), (3) and (4), and the property not developed for an urban use.
- (d) A preliminary assessment of the proposed method of financing the redevelopment of the project area, including an assessment of the economic feasibility of the project and the reasons for including a provision for the division of taxes pursuant to CCRL Section 33670 in the redevelopment plan.
 - (e) A description of the specific projects then proposed by the Agency.
 - (f) A description of how the project or projects to be pursued by the agency in the project area will improve or alleviate the conditions described in subdivision (b).
 - (g) If the project area contains lands that are in agricultural use, the preliminary report shall be sent to the Department of Conservation, the county agricultural commissioner, the county farm bureau, the California Farm Bureau Federation, and agricultural entities and general farm organizations that provide a written request for notice. A separate written request for notice shall be required for each proposed redevelopment plan or amendment that adds territory. A written request for notice applicable to one redevelopment plan or amendment shall not be effective for a subsequent plan or amendment.

CCRL Section 33344.5(b) states that the preliminary report shall include "[a] description of the physical and economic conditions existing in the project area." CCRL Section 33030 defines a blighted area as one that contains, among other things, both physical and economic blight conditions. Such conditions are defined in CCRL Section 33031 as follows:

33031

- (a) This subdivision describes physical conditions that cause blight:
 - (1) Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

- (2) Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
 - (3) Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
 - (4) The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.
- (b) This subdivision describes economic conditions that cause blight:
- (1) Depreciated or stagnant property values.
 - (2) Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with CCRL Section 33459).
 - (3) Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
 - (4) A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
 - (5) Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.³
 - (6) An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems.
 - (7) A high crime rate that constitutes a serious threat to the public safety and welfare.

Further, CCRL Section 33030(c) provides that "[a] blighted area that contains the conditions described in [CCRL Section 33030(b)] may also be characterized by the existence of inadequate public improvements or inadequate water or sewer utilities.

³ This section did not appear to provide an appropriate definition of "overcrowding."

2.3 REQUIREMENTS OF CCRL SECTION 33451.5

CCRL Section 33451.5 applies to certain types of proposed redevelopment amendments. As previously discussed, the Amendment includes one of these identified actions (specifically CCRL Subsection 33451.5(a)(5)).

CCRL Section 33451.5 is included in its entirety below:

- (a) This section shall apply only to proposed plan amendments that would do any of the following:
 - (1) Change the limitation on the number of dollars of taxes which may be divided and allocated to the redevelopment agency.
 - (2) Change the limit on the amount of bonded indebtedness that can be outstanding at one time.
 - (3) Change the time limit on the establishing of loans, advances, and indebtedness to be paid with the proceeds of property taxes received pursuant to CCRL Section 33670.
 - (4) Change the time limit on the effectiveness of the redevelopment plan.
 - (5) Change the boundaries of the project area.
 - (6) Merge existing project areas.
- (b) No later than 45 days prior to the public hearing on a proposed plan amendment by an agency or the joint public hearing of the agency and the legislative body, the agency shall notify the Department of Finance and the Department of Housing and Community Development by first-class mail of the public hearing, the date of the public hearing, and the proposed amendment. This notice shall be accompanied by the report required to be prepared pursuant to subdivision (c).
- (c) No later than 45 days prior to the public hearing on a proposed plan amendment by the agency or the joint public hearing by the agency and the legislative body, the agency shall prepare a report that contains all of the following:
 - (1) A map of the project area that identifies the portion, if any, of the project area that is no longer blighted, the portion of the project area that is blighted, and the portion of the project area that contains necessary and essential parcels for the elimination of the remaining blight.
 - (2) A description of the remaining blight.
 - (3) A description of the projects or programs proposed to eliminate any remaining blight.

- (4) A description of how these projects or programs will improve the conditions of blight.
 - (5) The reasons why the projects or programs cannot be completed without the plan amendment.
 - (6) The proposed method of financing these programs or projects. This description shall include the amount of tax increment revenues that is projected to be generated as a result of the proposed plan amendment, including amounts projected to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to the affecting taxing entities. This description shall also include sources and amounts of moneys other than tax increment revenues that are available to finance these projects or programs. This description shall also include the reasons that the remaining blight cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without the use of the tax increment revenues available to the agency because of the proposed amendment.
 - (7) An amendment to the agency's implementation plan that includes, but is not limited to, the agency's housing responsibilities pursuant to CCRL Section 33490. However, the agency shall not be required to hold a separate public hearing on the implementation plan pursuant to subdivision (d) of CCRL Section 33490 in addition to the public hearing on the amendment to the redevelopment plan.
 - (8) A new neighborhood impact report if required by subdivision (m) of CCRL Section 33352.
- (d) Upon receiving the report, the Department of Finance shall prepare an estimate of how the proposed plan amendment will affect the General Fund. The Department of Finance shall determine whether the amendment will affect the need for school facilities.
 - (e) Within 21 days of the receipt of the report, the Department of Finance or the Department of Housing and Community Development may send any comments regarding the proposed plan amendment in writing to the agency and the legislative body. The agency and the legislative body shall consider these comments, if any, at the public hearing on the proposed plan amendment. If these comments are not available within the prescribed time limit, the agency and the legislative body may proceed without them.
 - (f) The Department of Finance or the Department of Housing and Community Development may also send their comments regarding the proposed plan amendment to the Attorney General for further action.

2.4 ORGANIZATION OF THE UNIFIED REPORT

The following is a summary of the above requirements and where discussions of each may be found.

Requirements of CCRL Section 33344.5:

- 33344.5(a) – Chapter 4.0
- 33344.5(b) – Chapter 6.0
- 33344.5(c) – Chapter 5.0
- 33344.5(d) – Chapter 8.0
- 33344.5(e) – Chapter 8.0
- 33344.5(f) – Chapter 8.0

Requirements of CCRL Section 33451.5:

- 33451.5(c)(1) – Chapter 6.0
- 33451.5(c)(2) – Chapter 8.0
- 33451.5(c)(3) – Chapter 8.0
- 33451.5(c)(4) – Chapter 8.0
- 33451.5(c)(5) – Chapter 8.0
- 33451.5(c)(6) – Chapter 8.0
- 33451.5(c)(7) – Chapter 8.0
- 33451.5(c)(8) – Chapter 8.0



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3.0 METHODOLOGY USED TO GATHER AND ANALYZE DATA USED IN THE UNIFIED REPORT

3.1 INTRODUCTION: DISCUSSION OF DATA SOURCES AND HIERARCHY OF USE

In order to adopt the Amendment, the City Council must make a series of findings relating to the land within the Added Territory. These findings have been discussed in detail above and generally include the requirement that the Added Territory be both predominately urbanized and exhibit substantial and prevalent blight. With reference to the later finding, it is not necessary that all parcels be blighted; however, the City Council must find that parcels within the Added Territory are either blighted or are necessary for its effective redevelopment.

To assist the City Council in making these findings, this Report presents evidence which was gathered and analyzed in a manner sufficient to meet or exceed threshold conditions set forth in the CCRL and in various appellate court cases which bear upon redevelopment plan adoption/amendment actions. The following describes the method used to gather, analyze, and report upon such evidence.

The evidence presented in this Unified Report is derived from four sources:

1. The Field Reconnaissance
2. A review of primary research and secondary source documents completed by UFI and Alfred Gobar Associates (AGA)⁴
3. Interviews and testimonials of key City/Agency department staff
4. UFI's professional experience with redevelopment and generally accepted planning principles

The evidence so gathered is divided into four hierarchies based upon the degree to which the source of the data can be related specifically to any given parcel, with the most parcel-specific layers identified as "Foundation" and "Layer 1," the next most parcel-specific identified as "Layer 2" and the least parcel-specific identified as "Layer 3." Data used to evidence urbanization is found in the "Foundation" category; so labeled because, regardless of any additional conditions, only urbanized portions of a community may be made subject to redevelopment pursuant to the CCRL. Data used to evidence blight are found in Layers 1 and 2; data and experience used to show necessity for effective redevelopment are found in Layer 3. Appendix A graphically illustrates the hierarchal nature of the data used to evidence urbanization, blight, and necessity.

⁴ The role assumed by AGA in the development of this Unified Report is limited to research and analyses of economic blight. Please reference Section 4.2 of this Unified Report for the AGA analysis and conclusions regarding the presence of economic blight in the Project Area.

3.2 USE OF DATA SOURCES FOR EACH HIERARCHY

Data used in each of the four hierarchies is derived from one or more of the three sources identified above. In some instances the same data source is used to inform different categories (for instance, the Field Survey is used to make determinations of urbanization and blight) while in other cases different data sources are used to inform the same category. Table 3 below provides a graphic description of the sources and uses of data for each hierarchy and each type of finding required of the City Council identified above.

TABLE 3 HIERARCHY SOURCES & USES, FINDINGS REQUIRED				
FINDINGS REQUIRED TO BE MADE BY THE CITY COUNCIL				
HIERARCHY	DATA SOURCE	URBANIZATION	BLIGHT	NECESSITY
Foundation	Field Survey & Document Research	•		
Layer 1	Field Survey		•	
Layer 2	Field Survey/Primary & Document Research		•	
Layer 3	Primary & Document Research/Professional Experience			•

3.3 METHODOLOGY USED TO GATHER INFORMATION FROM EACH DATA SOURCE

3.3.1 Field Reconnaissance

The Field Reconnaissance provides data relating to the type, severity, and amount of physical conditions and, to some extent, economic conditions, which the City Council may rely upon to make appropriate findings about the presence of physical and economic blight in the Added Territory. UFI conducted the Field Reconnaissance in July 2008.

The Field Reconnaissance was conducted during daylight hours by one or more teams of two individuals in an automobile and/or by foot. Field notes were recorded on copies of assessor's parcel maps and included such items as the condition of primary structures capable of containing a major land use activity; the condition of public infrastructure including streets, curbs, gutters and sidewalks; inappropriate or conflicting land uses; evidence of criminal activity such as graffiti; and the general condition of neighborhoods. For reasons of cost and respect for privacy, the surveyors were cautious about entering onto private property and did not enter into the interiors of buildings. All notes and other data generated during the Field

Reconnaissance are incorporated herein by this reference and are on file at the offices of UFI.

In preparation for the Field Reconnaissance, senior UFI staff has defined a set of 40 physical conditions determined to be adverse to the public health, safety and welfare ("Blight Indicators"), and derived from a review of the following sources:

- CCRL Section 33031(a) (physical) and (b) (economic)
- The 1997 Uniform Housing Code
- The 2001 Uniform Building Code

A list of these 40 Blight Indicators was provided to the field team both as written definitions (see Appendix B) and as a catalog of photographs (see Appendix C) each of which shows a "minimum threshold" of severity for the appropriate Blight Indicator. A review of Appendices A, B and C will show that the catalog of Blight Indicators is intended to provide a standard set of conditions and is not necessarily tailored to any specific community; consequently, there may be Blight Indicators listed or photographed in these appendices which are not specifically relevant to either Project Area. It should be noted that if the field team did not find a case of any one or more of the 40 Blight Indicators, that Blight Indicator(s) would not be shown on the field reports or reflected in this Unified Report.

During the Field Reconnaissance the field team noted two types of information for each parcel within the Added Territory: the primary and any secondary (if applicable) land uses for that parcel, and the specific Blight Indicator(s), if any, which met or exceeded the minimum defined and photographic thresholds described above.⁵

Appendix D provides a table of all Blight Indicators identified for each parcel located within the Added Territory.

3.3.2 Primary Research and Document Research

As described above, various agencies collect data on physical and economic real property conditions in the course of their business. This data is available to the researcher in various media: print, database, oral interview, anecdotal, and photographic media to list a few. These data are well-suited to determining historic rates, area-wide conditions, and blighting "influences." However, use of these data is limited primarily because reporting district boundaries are generally not coterminous with the boundaries of a project area. As a consequence, proper use of these data often requires interpolation to rationalize differing geographies, time spans, and data sets. The different types of data used in the preparation of this Unified Report are listed below and by this reference are incorporated herein:

⁵ For instance, an exterior wall that exhibits a major crack indicates a weakening in the foundation which will lead to failure and would be noted as a Blight Indicator. On the other hand, many stucco structures in earthquake prone California exhibit small cracks in their exterior walls which may be considered cosmetic and do not indicate the potential for failure. The major crack is a "Blight Indicator," the smaller crack is not.

- The General Plan
- The Zoning Ordinance to determine applicable building capacities, lot size standards, parking ratios, set back requirements, etc., for each land use type
- Service dispatch for police and fire response calls
- U.S. Census
- Staff interviews
- First American Real Estate Solutions (Metroscan)

3.3.3 Professional Experience

Summaries of the qualifications of staff members who participated in the Field Reconnaissance and/or subsequent review and analysis of data are provided below. This Unified Report, including the Field Reconnaissance, was completed by UFI under the general direction of Mr. Ernie Glover, Managing Principal. Participating professional UFI staff included Mr. Paul Schowalter, Principal; Mr. Ryan Bensley, Planner, Mr. Jung Seo, Planner, and Ms. Kathren Young, Assistant Planner.

Mr. Glover holds a Master of City Planning from San Diego State University; Bachelor of Arts in Political Science and Sociology, with honors, from the University of California at Santa Barbara, with post-graduate studies completed at the University of Southern California. Mr. Glover joined UFI after 14 years as President of GRC Redevelopment Consultants, Inc. where he was responsible for the adoption and/or amendment of over 200 Redevelopment Plans and Implementation Plans throughout California.

Mr. Schowalter holds a Bachelor of Architecture Degree with an Urban Design Emphasis from the California State Polytechnic University, Pomona and has personally participated in over 100 field reconnaissances and provided analysis and document preparation in over 150 redevelopment plan adoptions and amendments in California.

Mr. Bensley holds a Bachelor of Arts Degree in Geography from the California State University, Long Beach, and has completed numerous field investigations for UFI and has over six years' experience with municipalities in Southern California and the private real estate sector. Mr. Seo holds a Bachelor of Engineering in Architecture and Urban Planning from the Handong University, South Korea, and a Master of Planning from the University of Southern California, and has helped to make a site analysis and projections for several redevelopment projects. Ms. Young holds a Bachelor of Arts in Environmental Analysis and Design from the University of California, Irvine, and has participated in field investigations and GIS activities.

UFI uses its professional experience and expertise as identified above and that of Agency staff and other professionals, including Agency legal counsel, to derive reasonable and professionally defensible definitions of terms used in the CCRL (see Chapter 3.0 of this Unified Report) and subsequently tests these definitions against the evidence gathered during the Field Reconnaissance and through examination of the secondary evidence. Such analysis might include interpreting real estate trends, determining necessity for effective redevelopment (based upon generally

accepted planning principles), rationalizing apparently conflicting data, and selecting comparable data sets of parcels from within the Added Territory, and from outside the Added Territory.

3.4 METHODOLOGY USED TO ANALYZE THE DATA

3.4.1 Discussion of Definitions of Conditions which Cause Blight

While the recently adopted SB 1206 has "clarified" certain definitions of blight, the CCRL still does not define the specific conditions which cause physical or economic blight through the use of any quantifiable metrics or minimum threshold conditions. Such core terms as "prevalent," "substantial," or "necessary", are not defined.

Another example is found in CCRL Section 33031(a)(1) where "dilapidation and deterioration" are identified as one of the physical conditions that "may" cause blight. SB 1206 has stated how dilapidation and deterioration may be "caused" (through "long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.") but still does not state what, exactly, dilapidation and deterioration is. Nor, after an exhaustive document search, can any cohesive and specific definition be found in the planning or real estate literature.

The U.S. Census provides that "dilapidated housing does not provide safe and adequate shelter. It has one or more critical defects; or has a combination of intermediate defects in sufficient number to require extensive repair or rebuilding; or is of inadequate original construction. Critical defects result from continued neglect or indicate serious damage to the structure." Unfortunately, this definition was found in the 1960 Census (Series HC (3)-68, p. x) and cannot be found in subsequent census reports. UFI research has found countless "definitions" of deterioration or dilapidation, but none which provide a quantifiable and indisputable description of what makes a structure either deteriorated or dilapidated.

Furthermore, during the 2006 State Legislative Session, the legislature had an opportunity to adopt legislation which provided specific metrics to define blight, thereby taking away local discretion as to what "blight" actually meant. While the legislature modified certain descriptive statements in CCRL Section 33031 to further provide guidance to local legislative bodies, it specifically chose not to adopt hard standards. Consequently, it remains the province of the local legislature, using the descriptive terms found in the CCRL to specifically find that an area is or is not a blighted area. It is, in short, up to each legislative body to examine the evidence before it to determine if the evidence, in its entirety, is sufficient for it to make a finding of blight.

A dictionary definition of "dilapidation" is "to bring into a condition of decay or partial ruin"; "deterioration" means "the action or process of deteriorating" while "deteriorate" means "to become impaired in quality, functioning, or condition."⁶ Both definitions, as well as the Census definition, provide for: i) the potential that the

⁶ Merriam Webster's Collegiate Dictionary, Tenth Edition.

deterioration or dilapidation might not be based upon any one condition, but rather a series of lesser conditions which together cause the condition ("partial," "impaired," "a combination of intermediate defects"), and ii) the exacerbating effect of these conditions over time ("to bring into," "to become," "continued neglect"). In fact, the legislature has clarified its intention that dilapidation and deterioration may be caused by "long-term neglect" in SB 1206. A "condition which causes blight" need not, by itself, be found to be "blight," but rather may be one of many conditions which, when added together, cause blight as defined in the CCRL.

For instance, chipped or peeling paint, per se, is not "blight" and a structure whose only deleterious condition is chipped or peeling paint would not be considered "blighted." However, chipped or peeling paint may be found in combination with a number of other, "conditions which cause blight" each of which, alone, might not be "blight."⁷ If a sufficient number of these conditions exist on one or more structures on a parcel, the legislative body of a community may appropriately find the parcel is blighted unless it could also determine that private enterprise acting alone or governmental action, or both, would rectify this situation in a reasonable period of time.

The discussion in the balance of this section describes the methodology used to "quantify" deleterious conditions in a manner which will allow the legislative body to consider making findings of blight on specific parcels pursuant to CCRL Section 33031.

3.4.2 Methodology Used to Identify and Analyze Incidence and Extent of Blight

3.4.2.1 Blight Severity Weighting by Parcel

The first step in the process to analyze field data is to determine a level of severity for each Blight Indicator. In UFI's opinion not all Blight Indicators merit equal weight when determining whether a parcel actually exhibits conditions which cause blight. For instance, and as described above, a parcel with a structure whose only Blight Indicator is chipped or peeling paint would not be considered "blighted"; conversely, a parcel with a structure whose only Blight Indicator is severely deteriorated exterior walls which could be in danger of imminent collapse could be considered "blighted."

Additionally, it should be noted that a number of economic Blight Indicators (found in CCRL Section 33031(b)) are considered such only to the extent that they exist on more than one parcel in any given area. For instance, CCRL Section 33031(b)(3) lists "abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings," and CCRL Section 33031(b)(6) lists "excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems" as indicators of economic conditions that cause blight. Therefore, while one bar or one retail establishment with a low lease rate presumably is not a condition that causes blight, the cumulative effect of a number of such conditions is considered to be such a condition, assuming

⁷ While paint may become chipped in a relatively short period of time, paint peels and weathers over a "long-term" if the condition is neglected.

the case can also be made that these conditions lead to problems of public safety and welfare.

To respond both to specific physical and economic conditions that cause blight and to the cumulative effect of a number of conditions which together cause blight, each of the 40 Blight Indicators is assigned one of five possible "values" by senior UFI staff. The "values" were assigned as described below.

There are three Blight Indicators whose presence on a parcel of land would, by itself, allow the City Council to make a finding that the specific parcel is "blighted" (hereafter termed "Primary Blight Indicators"). These Primary Blight Indicators are identified by UFI in Appendices A, B and C as exterior structural walls which are deteriorated to such an extent they are likely to collapse and cause severe structural failure, incompatible land uses, and irregular parcelization.⁸

A second series of 10 Blight Indicators are considered to be half as serious as the Primary Blight Indicators and, as such, are given a value which is half that given to the Primary Blight Indicators. Examples of these Blight Indicators found in Appendices A, B and C are: additions not permitted, fire hazards, garage conversion (not permitted), or inadequate or impaired access to building exits.

A third series of 17 Blight Indicators is considered by UFI to be only a fourth as serious as the Primary Blight Indicators and, as such, are given a value of one quarter that given to the Primary Blight Indicators. Examples of these Blight Indicators found in Appendices A, B and C are: apparent electrical hazards, occupied structures with one or more openings boarded up, inadequate loading or docking facilities (industrial uses only), obstruction of the public right-of-way, or unsafe or missing stairways or walkways.

A fourth series of nine Blight Indicators is considered to be only a tenth as serious as the Primary Blight Indicators and, as such, are given a value of one tenth that given to the Primary Blight Indicators. Examples of these Blight Indicators found in Appendices A, B and C are: bars on windows or doors, defective outdoor walls or fences, fenestration issues, or presence of security fencing.

Finally, there is one Blight Indicator, Inadequate Public Improvements (PUI) which, for two reasons, is not assigned any Blight Points. In the first place, CCRL Section 33030(c) does not specifically identify a PUI condition as "blight." Secondly, the negative effects of inadequate public improvements do not necessarily accrue to any individual parcel, but rather to the block or neighborhood in which they are located.

After having established the relationships among the various importance levels of Blight Indicators, it becomes a matter of calculation to actually establish the values. In this particular case, any parcel which receives a total value of 20 or more "points" may, with one exception described below, be considered by the City Council to be "blighted" as that term is used in the CCRL. Consequently, the Primary Blight Indicators were assigned a value of 20 points by UFI, meaning that the presence of

⁸ Conditions of incompatible land uses (CCRL Section 33031(a)(3)) and irregular parcelization (CCRL Section 343031(a)(4)) are not fully identified in the field. These conditions are not identified in Appendix B inasmuch as they are more a function of relationships among land uses or the shape of parcels than a function of observable deficiencies.

any one of the Primary Blight Indicators on any given parcel would be sufficient to allow the City Council to find that parcel to be blighted, as defined. In descending order, those Blight Indicators which were half as serious as the Primary Blight Indicators were assigned a value of ten points, the next series of Blight Indicators were assigned a value of five points, and the final series of Blight Indicators were assigned a value of two points, one tenth that of the Primary Blight Indicators.

However, it is not necessarily true that any parcel which accumulates ten of the least serious Blight Indicators would necessarily be found by the legislative body to be blighted. Therefore, in UFI's opinion, in order to be considered as a blighted parcel, any such parcel must accumulate 20 points as described above and must contain at least one Blight Indicator which is valued at five or more points.

3.4.2.2 Blight Severity Weighting by Irregular Parcelization

This condition of blight relates to the difficulty of providing for rationalized development where there are irregular lots, under separate ownership, which cannot be developed as a whole. This situation occurs when these irregularly formed lots have been sold to various individuals, each of whom retains his/her own property rights to develop when and how she/he wishes, subject only to municipal regulation and his/her perceptions of value.

CCRL Section 33031(a)(4), however, provides that a physical condition which causes blight consists only of those subdivided lots which are in multiple ownership, and whose irregular shape or inadequate size impairs their development given present standards. All parcels in the subject area are culled to determine which, if any, are of substandard size pursuant to the Zoning Ordinance. Any such parcels in zones which do not have a minimum lot size are further reviewed to determine if present market conditions would likely preclude their development or improvement. This set of "inadequate size" parcels is then reviewed by UFI senior staff to determine if, based upon general planning practice and present conditions, any subset would be irregular in shape. Parcels which are adjacent to parcels in this "inadequate size/irregular shape" subset are then reviewed to determine if there might be common ownerships such that, if viewed together, they might no longer be of inadequate size or irregular shape. All parcels which are simultaneously of inadequate size, irregular shape, and in multiple ownership are then identified as exhibiting the physical condition that causes blight identified in CCRL Section 33031(a)(4).

3.4.2.3 Blight Severity Weighting: Conclusion

Structures on parcels which have received at least 20 blight points and exhibit one Blight Indicator totaling at least five points may be found by the legislative body to exhibit physical deterioration or are otherwise substandard or are functionally obsolete and are unsafe or unhealthy for persons to live or work in. As discussed earlier, these structures generate negative influences on neighboring properties, which may or may not demonstrate on-site blight indicators, so that the value of these adjacent or nearby properties are negatively affected by their proximity to these structures. All these conditions allow the legislative body to make findings of blight for these, and neighboring, specific parcels.

3.4.3 Methodology Used to Analyze Data Derived from Primary and Secondary Sources

Successful interpretation of primary and secondary sources provides area-wide evidence of both physical and economic blight which the City Council may use to make its findings of blight. Whereas data from the Field Reconnaissance are parcel-specific, data derived from primary and secondary sources tend to be area-wide and more generalized.

The City Council may rely upon the evidence derived and analyzed during this phase of the blight documentation process to make the finding that the blight in the Added Territory is significant.

3.4.4 Methodology Used to Determine Blight, and Necessity

3.4.4.1 Methodology to Establish Urbanization (Foundation Level)

As was shown Table 4, the degree of urbanization in the Added Territory is evidenced through information provided in the Field Reconnaissance and existing document research. For the Added Territory to qualify for redevelopment, the City Council must determine that it is "predominantly urbanized" as that term is defined in CCRL Section 33320.1(b) and used in CCRL Section 33320.1. See Chapter 4.0 for detailed information regarding urbanization.

3.4.4.2 Methodology to Establish Blight (Layers 1 and 2)

A review of Table 3 shows that conditions which cause blight (physical and economic) are evidenced through the Field Reconnaissance ("Layer 1") and a review of primary and document research ("Layer 2").

Making a finding that a portion of a community is blighted is not an easy task for at least three reasons:

1. Certain definitions are not specifically provided for in the CCRL. For instance, a blighted area may contain parcels "which are not detrimental to the public health, safety and welfare" (CCRL Section 33321), i.e., parcels which are not blighted. CCRL Section 33030(b)(1) requires that the conditions of blight defined in CCRL Section 33031 be "prevalent" and "substantial" yet does not directly define these terms but rather simply describes what they "cause." Another example is that a blighted area need not exhibit all conditions identified in CCRL Section 33031, but only "one or more" of each of the physical and economic conditions (CCRL Section 33030(b)(2)). And, finally, one of the four conditions of physical blight identified in CCRL Section 33031 is arguably economic in nature (condition "(4)" which includes "present market conditions") while three of the seven conditions of economic blight identified in CCRL Section 33031 are arguably physical in nature (conditions "(3)," "(4)," and "(6)").
2. Appellate court decisions have found fault with: (a) the "conclusionary" nature of the discussion found in the documents under appellate review upon which legislative bodies have relied to make findings of blight, (b) an insufficient amount of such blight evidenced in the proposed project area, and (c) the apparent "boilerplate" nature of the assertions made in the evidentiary material.

3. The CCRL requires quantifiable documentation of the blighting conditions, yet does not provide a threshold an agency must meet.

It therefore becomes incumbent upon each respective legislative body to carefully and expressly review the specific conditions identified in reports prepared for and by the Agency which, together, negatively affect a proposed redevelopment area to the degree specified by law so the legislative body can find that, together, they are prevalent and substantial (for territory to be made subject to redevelopment) or significant (for territory already subject to redevelopment pursuant to a redevelopment plan being amended) and they place an undue burden on the community. In order to be in the position to do this, the legislative body must have before it a thorough and complete record, more objective than subjective, more analytical than anecdotal, whose conclusions are drawn from an objective analysis of the evidentiary record and not, to paraphrase one appellate court finding, from the consultant's word processor.

3.4.4.3 *Methodology to Establish Necessary and Essential Parcels for the Elimination of Remaining Blight (Layer 3)*

While results of the Layer 1 and 2 blight analyses described above will allow the legislative body to consider a finding of the existence of blight for most of the Added Territory, the case remains that there may be certain parcels, or more probably groups of parcels, which neither exhibit the deleterious conditions uncovered in the Layer 1 Field Reconnaissance or the Layer 2 data analysis. If it can be shown that these parcels or groups of parcels are "necessary for effective redevelopment," they may be included within the Added Territory even if they do not exhibit conditions of blight. Such parcels may be found to be necessary for effective redevelopment if their:

- Exclusion would create one or more "donut holes" in the Project Area or a "checkerboard" Project Area, making planning and implementation efforts ineffective
- Inclusion provides for more rational development of parcels
- Exclusion would create an artificially complicated or irrational boundary line

In large measure the determination whether parcels are necessary for effective redevelopment has to do with:

- Whether their exclusion would add an undue burden on the ability of the redevelopment agency to plan for and implement its programs in an effective and efficient fashion (a determination which the legislative body would make based upon the professional advice from consultants and its own staff)
- Whether or not their exclusion would add an undue burden on the ability of the redevelopment agency to provide for low- or moderate-income housing (a determination which the legislative body would make based upon its own political considerations as well as professional advice from consultants and its own staff).

Consequently, identifying such parcels is more a process of applying and articulating professional expertise in a specific context than analyzing data and drawing conclusions.

4.0 REASONS FOR THE SELECTION OF THE ADDED TERRITORY

The first and primary reason for selecting the boundaries of the Added Territory is because of the closure of the Plant in 2005 under the Base Realignment and Closure Act. The loss of the manufacturing operations at the Plant created a significant void for the region, especially in the southeast portion of the City. The negative impacts of the closure and eventual reuse of the Plant go beyond the boundaries of the Plant site. Therefore, the Agency began looking at redevelopment as a possible solution in a larger area.

Territory to the north, east, and south of the Plant are rural and agricultural in nature, and, as such, would not qualify under the CCRL. The predominately residential area to the west, however, appears to be a good candidate for redevelopment benefits. Although this area is in unincorporated Stanislaus County, the Board of Supervisors granted redevelopment authority to the Agency to address conditions of blight.

The Added Territory then selected by the Planning Commission includes the Plant site, which has significant problems related to hazardous materials and building deterioration, and the adjacent residential area, which has significant problems related to building deterioration, flooding, unpermitted construction, inoperable vehicles, property values, and a host of other negative characteristics. The Plant site represents about 40% of the entire Added Territory.

Detrimental physical and economic conditions will be addressed by:

- Upgrading public facilities and infrastructure,
- Promoting and facilitating economic development and job growth
- Providing additional affordable housing opportunities
- Generally improving the quality of life for residents, and business, and property owners within the limits of the Added Territory, and the City overall.

Furthermore, the Added Territory was selected because its revitalization is consistent with the purposes of the CCRL which are to protect and promote the sound development and redevelopment of blighted areas and to improve the general welfare of the inhabitants of the community. These purposes will be attained by

- Revitalizing the Added Territory including, without limitation, planning, developing, replanning, redesigning, clearing, reconstructing or rehabilitating (or any combination of the foregoing) structures and parcels or public rights-of-way within the Added Territory
- Providing for various uses as may be appropriate or necessary in the interest of the general welfare, thereby contributing to the public health, safety, and welfare.

- Stimulating construction activity and increasing employment opportunities by providing financial assistance in connection with the construction and reconstruction of walkways, lighting, landscaping, and other public facilities
- Attracting appropriate uses into stagnant, unproductive, and/or under-productive areas including the recycling of land uses into viable productive uses consistent with goals and policies of the General Plan as it now exists and as it may be amended from time to time.
- The use of the LMI Fund to increase, improve, and preserve the community's supply of low- and moderate-income housing available at affordable housing cost to persons and families of low or moderate income, lower income households, very low income households, and extremely low income households

Another reason for selecting the Added Territory is that improvement or amelioration of the deleterious conditions exhibited on and about the parcels or groups of parcels selected for inclusion into the Added Territory is compatible with, and would be advanced through the implementation of the purposes of, the CCRL. In this regard, the Agency will provide financial assistance for the rehabilitation (and in some cases the development) of additional construction and rehabilitation in a manner which will make such development economically feasible. Revitalization of the Added Territory will attain the objectives and purposes of the CCRL by helping to reverse the physical and economic decline described in this Report.



5.0 EVIDENCE THAT THE ADDED TERRITORY IS URBANIZED AND MAP REQUIRED BY CCRL SECTION 33344.5(c)(6)

In order to adopt the 2007 Amendment, the City Council must determine the Added Territory is "predominantly urbanized" as that term is defined in CCRL Section 33320.1(b). A project area is predominantly urbanized if 80 percent or more of the territory contained within it meets at least one of the two tests set forth in CCRL Section 33320.1(b). These "tests" are described below.

5.1 URBAN USE TEST

A parcel of land meets the "urban use" test if it "has been or is developed for urban uses" (CCRL Section 33320.1(b)(1)). Those uses are either single family or multi-family residential, commercial, public, quasi public, mixed use, railroad right-of-way, or public rights-of-way.

Nearly all of the Added Territory is developed for residential or industrial uses, and these uses relate to and are characteristic of a city. There is no agricultural land in the Added Territory.

As shown in Table 4, urban uses total 283.4 acres of the total 319.8 acres of the Added Territory. The result is that the Added Territory is 10.2% vacant and non-urbanized.

U.S. Census data is also useful in determining urbanization. According to information from the 2000 Census, the residential portions of the Added Territory (everything west of Claus Road) are in an "urbanized area." The main Plant parcel, having been an industrial site for decades, is also developed for an urban use. Therefore, the Added Territory is predominately urbanized.

5.2 INTEGRAL PART TEST

A parcel meets the "integral part" test if it is "an integral part of one or more areas developed for urban uses that are surrounded or substantially surrounded by parcels that have been or are developed for urban uses" (CCRL Section 33320.1(b)(2)). All those parcels which meet the criteria for the "urban use" test by definition meet this test since these parcels are themselves developed for urban uses. Therefore, it becomes necessary only to review those parcels which are not an urban use (or previous urban use) to determine whether any of those parcels are an "integral part" of areas developed for urban uses.

There are four parcels in the Added Territory that are not developed. Of those parcels, one is surrounded on all sides by urban development, and may be classified

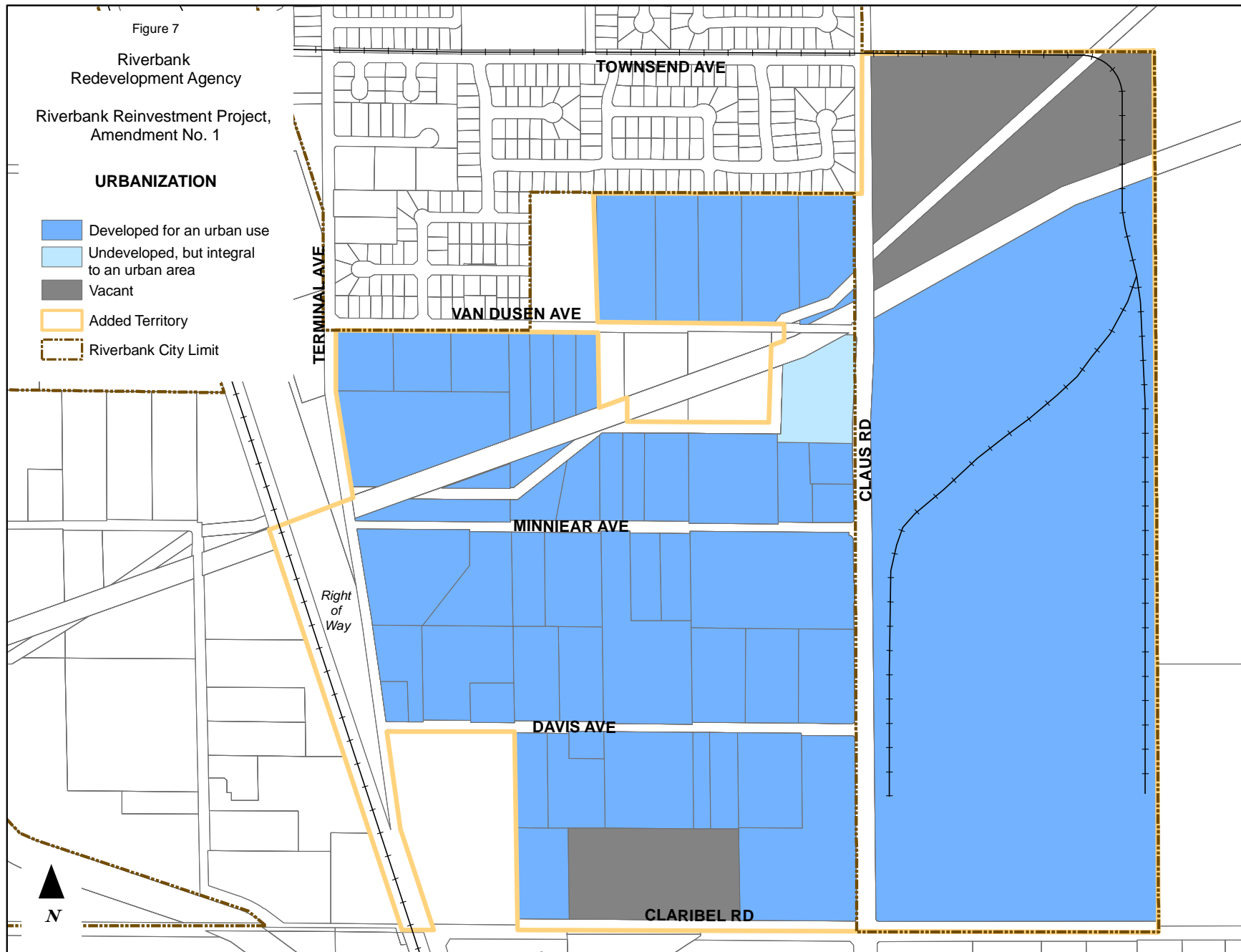
as "integral to an urban area." The three parcels that remain are on or near the Added Territory boundary, and adjacent to vacant and agricultural land. Therefore, they are classified as non-urbanized.

Table 4 below shows the breakdown of urbanization within the Added Territory by number of parcels and acreage. The results show that just over 10% of the land in the Added Territory is vacant and non-urbanized. Therefore, the Added Territory is approximately 90% urbanized, and well within the requirements for urbanization.

TABLE 4 URBANIZATION				
Category	No. of Parcels	% of Total Parcels	No. of Acres	% of Total Acres
Developed for an Urban Use	58	93.6%	252.9	79.1%
Undeveloped, but integral to an Urban Area	1	1.6%	3.8	1.2%
Vacant	3	4.8%	32.6	10.2%
Street/ROW	n/a	n/a	30.5	9.5%
Total Land in Proposed Project Area	62	100%	319.8	100%

Source: Urban Futures, Inc., Field Reconnaissance.

Figure 7 identifies all parcels in the Added Territory which are either developed for urban use, an integral part of an urban area, or non-urbanized.





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6.0 DESCRIPTION OF THE PHYSICAL AND ECONOMIC CONDITIONS IN THE ADDED TERRITORY

6.1 PHYSICAL CONDITIONS DESCRIBED

The purpose of this section is to describe the existing physical conditions as provided for in CCRL Section 33031(a) within the Added Territory. Information contained in this section will be used to document the prevalence and substantiality of physical blighting conditions and their pervasive negative influence on the community. As described above, information presented in this section will derive from Layer 1 (parcel-specific) and Layer 2 (area-wide) data.

6.1.1 Buildings in Which it is Unsafe or Unhealthy for Persons to Live or Work

Deteriorated buildings are considered to be unhealthy or unsafe for persons to live and work in to the extent such conditions are caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities and, as such, constitute a physical condition that causes blight in accordance with CCRL Section 33031(a)(1). Such buildings suffer some form of physical deterioration which is dangerous to inhabitants; peeling paint is often lead-based and dangerous to the health of occupants (especially given the age of the buildings involved); hazardous electrical wiring is a serious fire hazard; leaking roofs, cracks around windows and doors, cracked plaster and loose joints all potentially lead to bodily injury, illness, or, in extreme cases, death. Cracked windows are an obvious indication of an unhealthful environment; boarded up windows do not provide the light and ventilation which, ever since the late 1800's, have been understood to be necessary for healthy living and working conditions. Taken altogether, these unsafe and unhealthy conditions resulting from physical structural deterioration will be seen to form a basis for remaining physical blight found in the Added Territory.

The State legislature at CCRL Section 33031(a) has found that serious dilapidation and deterioration is one of the "physical conditions that cause blight" and that such conditions, when present, cause buildings to be "unsafe or unhealthy for persons to live or work." Inasmuch as State law provides the nexus between deterioration and dilapidation and unhealthy and unsafe conditions, one of the conditions causing blight, evidence of such deterioration and dilapidation will, in and of itself, be evidence of blight, although the following discussion additionally draws the direct link between observed conditions and how those conditions result in buildings that are unsafe or unhealthy to live or work in. Since this section discusses those blighting factors in the built environment which make buildings unsafe or unhealthy for persons to live or work in, the emphasis will be on the effects that serious deteriorated and dilapidated building conditions have on human health and safety

and not on how they negatively affect the built environment. Consequently, discussion of physical blight in this section is limited to its effect on human habitation.

Specific unsafe or unhealthy conditions are described below.

6.1.1.1 Hazardous Materials at the Plant and Surrounding Property

The Plant has an extensive history of soil and water contamination. Its prior use as an aluminum reduction and ammunition plant for several decades has resulted in the designation of a United States Environmental Protection Agency (EPA) Superfund site. The hazardous material problem at the Plant was so severe that before cleanup began, it was ranked as the third-worst Superfund site in California and 32nd-worst in the country, based on the Hazard Ranking System,⁹ the principal mechanism EPA uses to evaluate uncontrolled waste sites for possible inclusion on the National Priorities List.

Among the hazardous materials problems found on the site were corrosive wastes (phosphoric acid, sulfuric acid, and caustic cleaners), solvents, spent pickle liquids, and wastewater containing metals. According to tests conducted by the Army in 1984, significant levels of contaminants, including chromium, cyanide, and 1,1-dichloroethylene, migrated into ground water close to or beyond the installation boundary. About 13,700 people obtained drinking water from public and private wells within three miles of the site, and at least 3,500 acres of nearby nut and fruit orchards were partially irrigated by ground water. The Army also found that sediments in the waste treatment ponds contained chromium, lead, and zinc. Overflows from the ponds have drained into the Stanislaus River, which is used for irrigation and recreational activities.

Various groundwater cleanup activities that remove contamination through a "pump and treat" process were established and most have treated the problems identified above. However, according to a memorandum prepared for the Draft Riverbank Army Ammunition Plant Base Reuse Plan,¹⁰ (the "Reuse Memo")¹¹ protection is still needed "to prevent the inappropriate use of the groundwater while remediation is occurring."

In 1996, a cap was installed on the landfill and monitoring of the area will continue until 2015. This cap is currently protecting human health and the environment, but according to the Reuse Memo, "deed restrictions are required to remain protective in the long term." In 1997, the groundwater treatment system was expanded to increase the aquifer cleanup through a pump-and-treat process. As with the mitigation measures for the landfill, this system is currently protecting, but an "institutional control is needed to prevent the inappropriate use of the contaminated groundwater while remediation is occurring."

⁹ A numerically based screening system that uses information from initial, limited investigations to assess the relative potential of sites to pose a threat to human health or the environment.

¹⁰ Design, Community & Environment, September 16, 2008.

¹¹ Memorandum dated December 7, 2007, Earth Tech Inc. to City of Riverbank, and hereby incorporated by reference.

Other problems at the Plant include:

- The wastewater treatment facility has been found to be contaminated with chromium, and additional characterization is needed, but existing equipment prevents such activity.
- Various buildings have soil contamination beneath remaining sumps or pits
- Various electrical substations have stains beneath transformers known to contain polychlorinated biphenyls, a class of organic compounds
- The former pistol range is suspected to have soil contamination
- Two areas with soil contaminated by petroleum

The result of decades of contamination generated by the Plant is both physical and economic. Physical in the sense that extreme harm can be generated if certain areas are disturbed, occupied, or otherwise redeveloped. This creates additional constraints on the current and future users of the site. For example, because of the contamination on the site, there are 121 buildings that have known use restrictions, two buildings with unknown restrictions, and 16 buildings that are not suitable for reuse. This, in turn, leads to economic problems as the value of the property is reduced by such constraints as well as the direct costs to abate the contamination. In fact, the Draft Reuse Plan itself states that "the contamination at [the Plant] greatly limits the land uses that are appropriate on the site."

Additional information regarding hazardous material presence on the Plant site may be found in the EIR prepared for the General Plan update, which is hereby incorporated by reference.

The existence of asbestos on the Plant site is also a problem. According to the Reuse Memo an asbestos management plan is in place, and that, given the age and type of buildings, it is "very likely that most buildings on the complex include some form of asbestos containing material. A survey of the Plant revealed that at least 27 buildings on the Plant site are suspected to contain asbestos. This health risk covers approximately 520,000 square feet of floor space.

One known asbestos containing material on the Plant was used as part of the exterior siding on several buildings and affects about 250,000 square feet of wall space. The presence of this type of building material, and other uses of asbestos, will "have an impact upon future building use and development." In other words, the cost to abate or remove several hundred thousand square feet of asbestos containing material will be significant and will severely limit the redevelopment of the Plant.

Lead-based paint is also an issue at the Plant. As with asbestos, the age and type of buildings make it clear that "the vast majority of the structures on the site contain some amount of lead-based paint" some of which have "areas where painted surfaces were peeling and need attention." In fact, lead was found at levels that require abatement on the buildings that comprise the existing and former production lines.

The known and suspected existence of lead throughout the Plant severely restricts reuse activities. According to State and Federal health regulations, the Plant could not be opened to the general public before removal or abatement of the lead.

With many of the buildings at the Plant being constructed in 1942, fire and life safety equipment are likely to be insufficient, and any future change of use could trigger significant upgrades. In addition, only one building is known to have ADA accessibility upgrades and any redevelopment of the property would require such modifications throughout the Plant. Other possible upgrades could include fire walls or smoke barriers, exits, and ventilation, lighting, or plumbing systems.

A "significant portion of the brick masonry structures are unreinforced masonry," which is a major health and safety risk, and could be a substantial cost barrier to the redevelopment of the Plant. At least five buildings, including one with multi stories and large masonry walls, are presumably unreinforced and subject to catastrophic collapse in the event of an earthquake.

6.1.1.2 *Seismic Issues*

According to the Draft Reuse Plan, it is anticipated that many of the buildings on the Plant site "will require structural improvements in order to conform to seismic requirements." There are also at least two buildings "known to have splits in their roof trusses." This is in addition to the other maintenance needs and "the replacement of existing roofs." Other seismic problems include a 1,000,000 gallon surface water tank and 100,000 gallon elevated water tank do not comply with current seismic requirements and could fail during an earthquake. Both water tanks are for fire suppression so their failure in a seismic event would be devastating to those on the ground as well as those caught in fire.

There are also three unreinforced masonry buildings on the Plant. As noted by the Association of Bay Area Governments website: "Earthquake damage to unreinforced masonry structures can be severe and hazardous. The lack of reinforcement coupled with poor mortar and inadequate roof-to-wall ties can result in substantial damage to the building as a whole as well as to specific sections of it. Also hazardous, but slightly less noticeable, is the damage that may occur between the walls, and roof and floor diaphragms. Separation between the framing and the walls can jeopardize the vertical support of roof and floor systems which could lead to the collapse of the structure."

6.1.1.3 *Serious Dilapidation and Deterioration*

"Deterioration" has already been defined in Chapter 1.0 of this Unified Report. This definition is commonly used in the appraisal profession. Cumulative and deleterious effects of wear and tear on a structure over time are exhibited in many ways. As described above, specific Blight Indicators relating to "Deterioration" found on each parcel are identified in Appendix D.¹²

Specific occurrences of serious health and safety issues, and a description of each type that was found in the Added Territory, are shown in Table 5 below. Note that

¹² These conditions are identified and defined in Appendix A.

access to the Plant was not available; therefore, observations regarding the buildings on the Plant site are based on the Reuse Memo, and are presented at the end of Table 5. These conditions are mapped in Figure 8.

TABLE 5 DILAPIDATION AND DETERIORATION	
BLIGHT INDICATOR	# OF PARCELS
<p>Defective Fence, Block Wall, or Planter</p> <p>Includes wood, chain link, or other material fences, concrete block walls, large planter boxes, etc. that are deteriorated. Deterioration may include deteriorated paint, missing or broken sections, lurching, leaning, cracking, or loose concrete blocks. Not only is this condition a safety and security issue, but there is also potential harm and liability if anyone gets injured from the damage. Additionally, a yard fence is the primary visual statement from the public way. While aesthetics are not specifically a condition of blight, it is well understood both among the general population and within the planning profession that "visual blight" is an important factor in the perceived success or failure of a neighborhood. The scruffy appearance of these fences or walls throughout the Project Area, themselves, creates a form of external obsolescence which starts to characterize a neighborhood as "blighted."</p>	18
<p>Fenestration</p> <p>As identified in Appendices B and C, deficient fenestration is called out when windows and doors are decayed, have missing hardware, glass is cracked, sills need attention, or the placement of the opening is inappropriate. The presence of such issues is a specific factor in the ultimate deterioration or dilapidation of a structure.</p> <p>In addition, the standard concept of "The Broken Window Effect",¹³ points strongly to a very high degree of correlation between apparent building abandonment and crime.</p>	2
<p>Fire Hazards</p> <p>Fire hazards in this context relate to structures made of old, dried wood, lack of fire retardant, site issues (overgrown vegetation, high piles of dried out yard waste or tires, accumulation of other flammable wastes, etc.) or other conditions which could lead to a fire. Fires, however caused, are clearly unsafe and unhealthy and are therefore a condition which causes physical blight.</p> <p>This indicator represents severe health & safety issues and economic disinvestment as fires will damage property and may even cost lives.</p>	2

¹³ Wilson, James Q. and Kelling, George L., "Broken Windows", The Atlantic, Boston, Mass., March, 1982.

TABLE 5 DILAPIDATION AND DETERIORATION	
BLIGHT INDICATOR	# OF PARCELS
<p>Deteriorated Fixtures or Mechanical Equipment</p> <p>This condition is often characterized by "swamp coolers" or wall air conditioners that are precariously attached to windows and/or are propped up on crates or jerryrigged "supports." These fixtures are heavy and the potential for them to fall and either hurt some individual or further destroy the structure to which they are attached is substantial. This potential is exacerbated in the event of an earthquake.</p> <p>It also includes severely deteriorated outdoor mechanical equipment, ventilation units (includes post-construction ventilation pipes probably inserted after the structure was constructed).</p> <p>In addition to safety risks, these deteriorated fixtures, mechanical equipment, or HVAC systems can be costly to replace and tend to lower the value of the property.</p>	1
<p>Inoperable Vehicles</p> <p>Evidence of inoperable vehicles includes flat tires, spider webs, out-of-date registrations, overgrown weeds around the tires, and/or vehicles on blocks.</p> <p>This is a property maintenance issue that speaks to the pervasive nature of urban decay and the health and safety of residents. Furthermore, the high incidence of this phenomenon indicates an impaired investment, as an owner to allow an inoperable vehicle to remain on his or her parcel is a direct indication of the owner's belief in the value of that parcel.</p>	16 <i>Note that 87 inoperable vehicles were observed on these 16 parcels.</i>
<p>Overgrown Vegetation</p> <p>Trees which over arch roofs become fire hazards and run the risk of roof and structural damage in the event of a severed limb. Yards with heavy shrubs, tall grasses, out of control ivy beds become breeding grounds for rodents and, after one of Southern California's common droughts, a fire hazard. Overgrown vegetation might also hide street signs or interfere with electrical lines. In addition, this condition is indicative of neglected property maintenance and is a factor in lowering property values.</p>	3
<p>Paint-related Issues</p> <p>Chipped and peeling paint is an example of a blighting condition which, in conjunction with the other Blight Indicators above and below, becomes an overwhelming condition of blight as it indicates that fundamental property maintenance issues have been sorely lacking.</p>	4

TABLE 5 DILAPIDATION AND DETERIORATION	
BLIGHT INDICATOR	# OF PARCELS
<p>Damaged Roof</p> <p>Roofs offer protection against the elements and, when deteriorated or damaged, structures run the risk of internal water damage, which weakens the integrity of the structure, and exposure to wind, drafts, and vermin or insects. In the most severe cases, roof damage can lead to its collapse, rendering the structure uninhabitable and potentially fatal.</p>	1
<p>Deteriorated Secondary Structures</p> <p>A deteriorated secondary structure strongly indicates fundamental property maintenance issues are sorely lacking and/or that it was constructed of substandard material, which was unable to withstand normal weathering and wear and tear.</p>	21 <i>Note that 33 secondary structures were observed on these 21 parcels.</i>
<p>Unsafe Stairs or Walkways</p> <p>Includes stairways or walkways are deteriorated (often evidenced by broken steps, unevenness, etc.), missing handrails, have no traction on the surface (creating the danger of being slippery when wet), or have obstacles limiting access to their safe usage. Unsafe exterior stairs are an obvious hazard to persons entering and exiting structures and become even more dangerous in the event of a need for rapid evacuation of a structure. Unsafe stairways or walkways limit access to structures & are dangerous to walk on, especially with young children or the elderly.</p>	2
<p>Inadequate Weather Protection</p> <p>Includes holes in exterior surfaces or large areas of exposed bare wood. This type of blight shows economic disinvestment since repairs (sometimes fairly expensive) are required for the structure. Additionally, holes in walls or roofs and bare wood have some health and safety issues associated to it (i.e. moisture can get inside of the walls causing dry rot, fungus, etc.).</p>	4
BLIGHT AT THE PLANT (based on information from the Reuse Memo)	# OF PARCELS
<p>Hazardous Materials</p> <p>Significant problems with water and soil contamination. Some conditions have mitigation measures in place; others yet to be fully characterized. Restrictions on use and reuse are significant.</p>	4

TABLE 5 DILAPIDATION AND DETERIORATION	
BLIGHT INDICATOR	# OF PARCELS
<p>Building Deterioration</p> <p>As mentioned above, access was not available to the UFI team during the Field Reconnaissance. However, an inspection performed for the Reuse Memo revealed that many of the buildings were classified as "fair" condition. Of the 51 buildings directly observed, 17 (33%) "may require selective upgrades for continued use."</p> <p>In addition, the Draft Reuse Plan notes that there are a "variety of structural issues" including steel columns with broken concrete pedestals, dry rot, and cracks in building façades. There are also three buildings constructed of unreinforced masonry.</p>	1

Of the 62 individual parcels in the Added Territory, 30 parcels (48% of all parcels; 86% of all land area) exhibited one or more indication of structural dilapidation or deterioration discussed above.

Note that a number of the blighting conditions listed above provide direct examples of long-term neglect. Such items as groundwater contamination, broken or deteriorated fences or walls, deteriorated fixtures or mechanical equipment, foundations, peeling or chipped paint, worn and inadequate roofs or roof structures, unsafe or missing stairways, and deteriorated weather protection do not happen overnight. Rather they slowly manifest themselves, as if generated from the very structures they deface, over years of neglect, poor maintenance, or abandonment.

6.1.1.3 Construction that is Vulnerable to Serious Damage

Unsafe and unhealthy conditions can also be found on properties where inadequate construction or certain alterations creates significant blight. Specific Blight Indicators relating to construction that were observed on each parcel are identified in Appendix D.¹⁴

Specific occurrences of construction that is vulnerable to serious damage, and a description of each type that was found in Added Territory, are shown in Table 6. These conditions are mapped in Figure 9.

¹⁴ These conditions are identified and defined in Appendix A. Conditions specific to serious deterioration are identified as Nos. 2, 7, 8, 9, 10, 12, 13, 14, 15, 23, 25, 27, 28, 34, 37, 39, and 40 in Appendix A.

TABLE 6 CONSTRUCTION VULNERABLE TO SERIOUS DAMAGE	
BLIGHT INDICATOR	# OF PARCELS
<p>Unpermitted Addition (occupied)</p> <p>Includes construction that is affected by poor quality workmanship and/or faulty materials, suspect construction techniques, or that violates local building codes. Unpermitted room additions become a health and safety issue to the extent that such additions are not made to code, which puts occupants at risk.</p> <p>Unpermitted construction is a serious condition and one which can cause untold problems. For instance, the California Real Estate Inspection Association, in a press release dated August, 2005 provides that "[n]on-permitted work is frequently performed by unlicensed individuals. Few unlicensed individuals are competent in all areas of building and safety, especially where electrical wiring is concerned. Professional home inspectors see countless non-permitted additions and report most have significant problems. Although the finished projects may appear satisfactory, defects and code violations of various kinds often belie an attractive finished surface."</p>	2
<p>Unpermitted Addition (unoccupied)</p> <p>Unpermitted additions that are not regularly inhabited make the structure (both itself and, in the case of an addition, to the main structure to which it is attached) vulnerable to serious damage. For example, a number of "carport" constructions were located over existing driveways in front of the existing garage. Were these structures to fail, not only would the carport structure itself collapse, but the main structure itself would certainly be damaged and the supporting wall may even collapse. In either case, serious damage would accrue both to the carport structure itself and to the main structure as a result of the faulty use of a construction material or inadequate construction.</p>	5
<p>Faulty Construction Materials</p> <p>Poor construction materials are typically chosen to lower construction costs. Unfortunately, these tend to fail or deteriorate more rapidly than more standard materials. This indicator also represents health and safety issues since there is a greater chance of structural failure with faulty construction materials in the event of earthquakes, floods, etc.</p> <p>Faulty construction materials cannot easily be replaced without gutting the entire structure and "starting over." Such materials make any structure extremely vulnerable to serious damage by their very nature.</p>	1

Of the 62 individual parcels in the Added Territory, eight parcels (13% of all parcels; 7% of all land area) exhibited one or more indication of poor construction discussed in this subsection.

Note that a number of the blighting conditions listed above provide direct examples of vulnerability to serious damage, particularly in the event of a seismic event. Such items as room additions or other structures that have not been permitted may be found to be directly responsible for structural collapse, while conditions such as faulty construction materials will indirectly cause serious damage if the seismic event or storm is strong enough or if they are found in combination with other blighting conditions.

6.1.1.4 Statement that there are Unhealthy and Unsafe Buildings and that Significant Blight Exists in the Added Territory

A review of Appendix D shows, and as demonstrated above, unsafe and unhealthy conditions come in multiple forms within the Added Territory. Generally, such conditions as contamination, deterioration, and inadequate construction were found to create buildings that are unsafe or unhealthy in which to live or work. Overall, 50% of the parcels in the Added Territory (86% of the land area) exhibited at least one of these conditions. In addition, groundwater contamination from the Plant affects nearly 100% of the Added Territory.

Based upon this information, the City Council may make the finding that the incidence of remaining blight, as defined in CCRL Section 33031(a)(1), is significant.

6.1.2 Conditions That Prevent or Substantially Hinder the Viable Use or Capacity of Buildings or Lots

The physical blight caused by structures of substandard, defective or obsolete design or construction is created by many of the same conditions as those which make these same buildings unsafe or unhealthy for persons to live or work. A "substandard" or "defective" structure will be substandard or defective specifically because, for instance, electrical hazards, deteriorated exterior structural support walls, or non-permitted garage conversions make it substandard or deficient or because its design is either substandard in and of itself or has become obsolete due to changing demands or requirements. Not coincidentally, these Blight Indicators, as well as many others, act to make structures unhealthy or unsafe to inhabitants while, at the same time, making the structure itself substandard or defective. On the other hand, an "obsolete" structure may not be unhealthy or unsafe; it may simply not be either "viable" or it may be "substantially prevented" from being viable.

Because conditions identified in CCRL Section 33031(a)(2) are, in many ways, similar to those identified in CCRL Section 33031(a)(1), much of the evidence used in this section has already been previously addressed. The evidence here is used to show its negative impact on the viable use of buildings and land parcels rather than its negative impact on human health and safety. As described above, a breakdown of the Blight Indicators found on each parcel is found in Appendix D.

Specific occurrences of serious issues, and a description of each type that was found in the Added Territory, are shown in Table 7 below. These conditions are mapped in Figure 10.

**TABLE 7
CONDITIONS THAT PREVENT OR SUBSTANTIALLY HINDER VIABLE USES**

BLIGHT INDICATOR	# OF PARCELS
<p>Bars on Doors and/or Windows</p> <p>Metal bars covering doors and/or windows is a significant indicator of a high crime area as well as a potential fire escape hazard. Even if the local crime rate is low, bars on windows gives an area an unsafe look, which reduces values and is an economic disincentive to invest in the area.</p>	9
<p>Graffiti</p> <p>Similar to bars on windows and/or doors, graffiti indicates a high crime area with the likelihood of gang activity or other anti-social behavior. This type of vandalism is one of the most-recognized indicators of a blighted area.</p>	2
<p>Garage Conversions</p> <p>A garage converted into illegal living space speaks both to overcrowding and to the potential for improper construction. Unpermitted garage conversions can also become a health and safety issue to the extent that such conversions are not made to code.</p> <p>In addition, these garage conversions degrade the design of a structure, typically a single family residence, which included covered, off street parking for at least one and often two automobiles. Local codes require garage parking for single family residences, therefore, the deletion of these garages from the single family residence makes their current design illegal and inadequate, such a departure from standard design hinders the viable use of the structure. Further, to the extent that covered, garage space is unavailable, residents will park their cars either on the lot (thereby hindering the use and capacity of the lot as well) or on the street (causing more congestion on the public right-of-way).</p>	3
<p>Poor Construction Quality</p> <p>A significant part of the economic value of any structure is decreased by how the building is constructed. The use of less-expensive materials (such as corrugated steel) and construction techniques decrease the value of the structure since the value present from excellent construction quality is never there.</p> <p>Poor construction quality is an example of economic disinvestment since costs were cut during the construction phase, producing a poorer quality product.</p>	4

TABLE 7 CONDITIONS THAT PREVENT OR SUBSTANTIALLY HINDER VIABLE USES	
BLIGHT INDICATOR	# OF PARCELS
<p>Deteriorated/Absent Private Infrastructure</p> <p>This involves driveways, walkways, and other "common" spaces that are either unpaved or deteriorated.</p> <p>Deteriorated/absent private infrastructure is primarily an example of economic disinvestment because the money was not spent to "finish" the property, or there is damage and it has not been fixed. Such conditions can lower the value for that particular property, as well as adjacent properties, thus hindering viable uses.</p>	18
<p>Security Fencing</p> <p>Security fencing is often indicative of high crime in an area and, when it exceeds certain heights, can be illegal itself. As with other visible forms of crime prevention, such as bars on windows, security fences give an area an unsafe look, which reduces values and is an economic disincentive to invest in the area. In addition, they can hinder or prevent emergency personnel from reaching their intended destination.</p>	3

Of the 62 individual parcels in the Added Territory, 31 parcels (50% of all parcels) exhibited one or more indication of conditions that prevent or substantially hinder the viable use or capacity of buildings or lots discussed in this subsection.

6.1.3 *Statement that there are Conditions in the Added Territory Which Substantially Hinder the Viable Use or Capacity of Buildings or Lots and that the Incidence of these Conditions is Significant*

A review of Appendix D and the above text will show that conditions caused by substandard, defective, or obsolete design and construction which prevent or substantially hinder the viable use or capacity of buildings or lots exist throughout the Added Territory. Generally, such conditions were found to create an area that is at an economic disadvantage, which substantially hinders the viable use of the area. With half of the parcels in the Added Territory exhibiting at least one of these conditions, the impact is substantial.

Based upon this information, the City Council may make the finding that the incidence of blight as defined in CCRL Section 33031(a)(2) in the Added Territory is significant.

6.1.4 *Adjacent or Nearby Incompatible Land Uses that Prevent the Development of those Parcels or Other Portions*

CCRL Section 33031(a)(3) provides that a physical condition which causes blight consists of incompatible uses that prevent the development of adjacent or nearby parcels.

There are four vacant parcels in the Added Territory, and the development potential of each one is affected by nearby land uses. Two of the four are located at the northern end of the Plant site. Not only are these parcels divided from the Plant by two rights-of-way (the Hetch Hetchy water line and a high-tension power line) they are also adjacent to the former Plant landfill where several hazardous materials were found. This area has been capped and may not be disturbed without undertaking environmental remediation. In addition, the groundwater under these parcels is being treated for contamination. The combination of property constraints, the former use of the adjacent parcel, existing hazardous material concerns, and the mix of nearby residential and industrial land uses prevent these parcels from developing.

The third vacant parcel is along Claus Road, between Van Dusen Avenue and Minniear Avenue. Similar to the two parcels described above, this property has nearly all of its Van Dusen frontage cut off by the Hetch Hetchy right-of-way, is affected by the same groundwater contamination that affects almost the entire Added Territory, and is surrounded by an incompatible mix of residential and industrial uses.

The fourth parcel is located on Claribel Road and faces the same contamination and odd land use mix on adjacent parcels as noted above plus the noise, vibration, and traffic effects of the railroad tracks nearby to the west.

Vacant parcels affected by incompatible land uses are mapped in Figure 11.

6.1.5 *Statement that there are Adjacent or Nearby Incompatible Land Uses that Prevent the Development of those Parcels or Other Portions and that the Incidence of these Conditions is Significant*

A review of Appendix D and the above text will show that adjacent or nearby incompatible uses that prevent development exist in the Added Territory. Overall, 11% of the land in the Added Territory exhibited this condition. Based upon this information, the City Council may make the finding that the incidence of blight as defined in CCRL Section 33031(a)(3) in the Added Territory is significant.

6.1.6 *The Existence of Irregular, Subdivided Lots in Multiple Ownership Whose Physical Development has been Impaired Given Present Conditions*

CCRL Section 33031(a)(4) provides that a physical condition which causes blight consists of subdivided lots which are in multiple ownership and whose physical development has been impaired by their irregular shape and size, given present general plan and zoning standards, and present market conditions.

To identify any parcels that may qualify as "irregular," parcel maps and ownership patterns were analyzed. Most of the lots in the Added Territory are large (over four acres, excluding the Plant parcels, which are significantly larger) so parcels that are too small for current general plan or zoning standards were not applicable. However, the Hetch Hetchy right-of-way and a high-tension power line right-of-way cross the Added Territory at an angle that creates two triangular-shaped parcels. In addition, there are two narrow and deep parcels on the south side of Van Dusen

Avenue that exceed a 1:4 ratio of width-to-depth, a common standard in land planning.

A traditional method of determining the "carrying capacity" of a parcel of land is to determine maximum building "envelope" available on that parcel after parking, landscaping, setbacks, and other limiting factors have been considered. Parking and circulation tend to be the major considerations as to the size of the building envelope. Parking layouts demand specific minimum dimensions to accommodate turning radii, standard parking spaces, and efficient traffic flow. Where parcels are of regular shape, the land designer is able to efficiently accommodate these demands. Where parcels are of irregular shape, such as those described above with unusual angles and excessively deep land, the designer must waste that irregular portion of the lot which cannot accommodate these demands. That wasted portion represents lost building envelope and, consequently, lost economic value from development.

Therefore, the four parcels, all of which are in multiple ownership, have been identified as irregular based upon the fact that development would be impaired from an economic efficiency point of view. Irregular parcels are mapped in Figure 12.

6.1.7 *Statement that there are Irregular, Subdivided Lots in Multiple Ownership Whose Physical Development has been Impaired Given Present Conditions and that the Incidence of these Conditions is Significant*

A review of Appendix D and the above text will show that parcels of irregular shape or size exist throughout the northern portion of the Added Territory where two rights-of-ways cut across the land. With 16 parcels directly affected and four parcels with substantial limitations (26% of all parcels; 1% of all land area), the City Council may make the finding that the incidence of blight as defined in CCRL Section 33031(a)(4) in the Added Territory is significant.

6.1.8 *Statement Providing Compelling Evidence There are a Substantial Number of Parcels in the Added Territory that Suffer from Indications of Physical Blight and that Such Blight is Significant*

A review of the information provided above in Appendix D and E, and in the maps provided will show that there are a substantial number of parcels in the Added Territory that are affected by conditions of blight. In fact, of the 62 individual parcels in the Added Territory, 55 parcels (89% of all parcels; 87% of all land area) have at least one physical blight characteristic.

The diffusion of the physical conditions which cause blight throughout the Added Territory identified above make a successful effort on the part of private enterprise acting alone to eradicate blight ineffective and a successful effort on the part of government acting alone problematic unless the proposed Amendment is approved because the revenue generated from the Amended Project Area to the Agency would fund a variety of improvements.

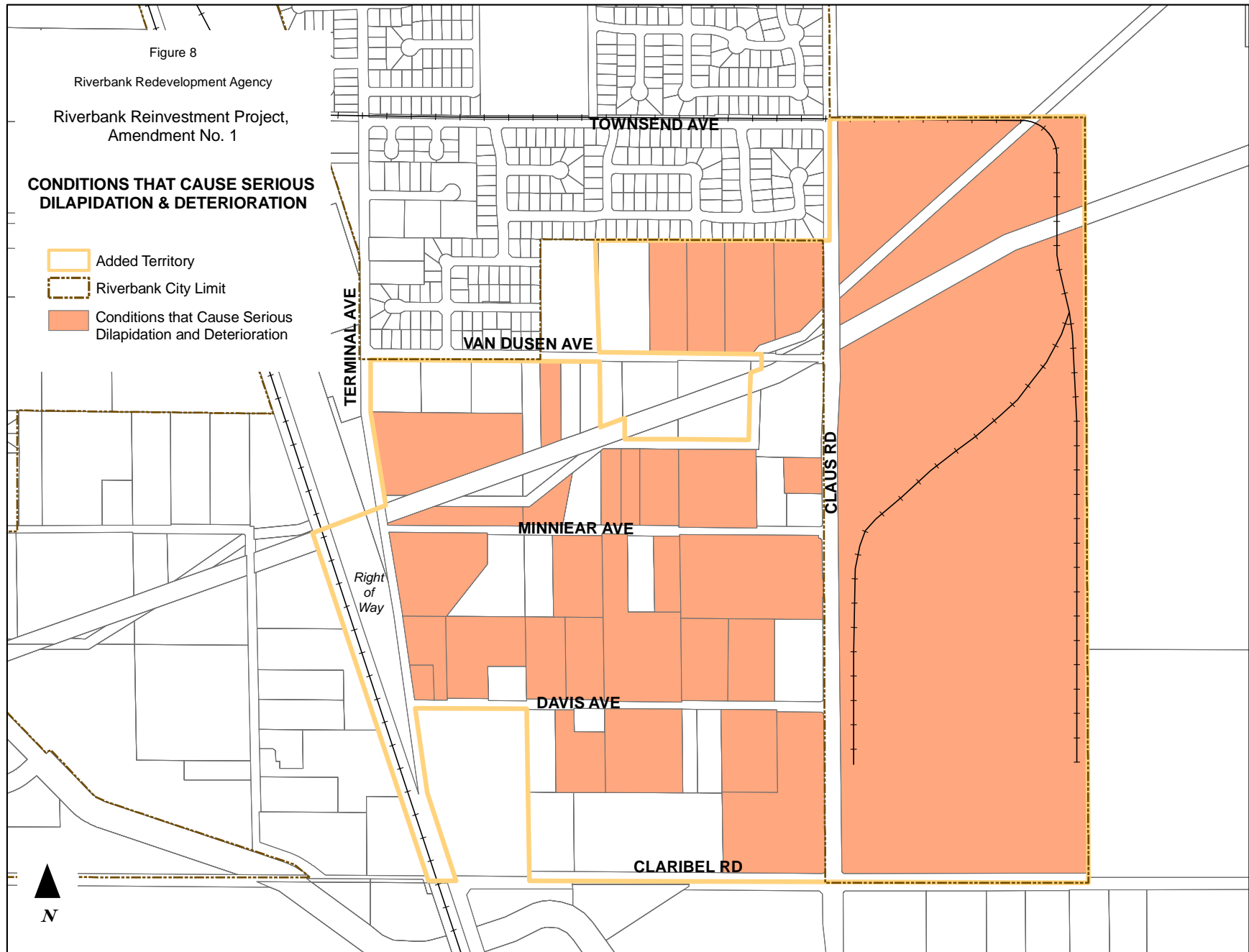
Pursuant to the methodology set forth in this Unified Report, in order to be considered by the City Council as a parcel which exhibits physical blighting

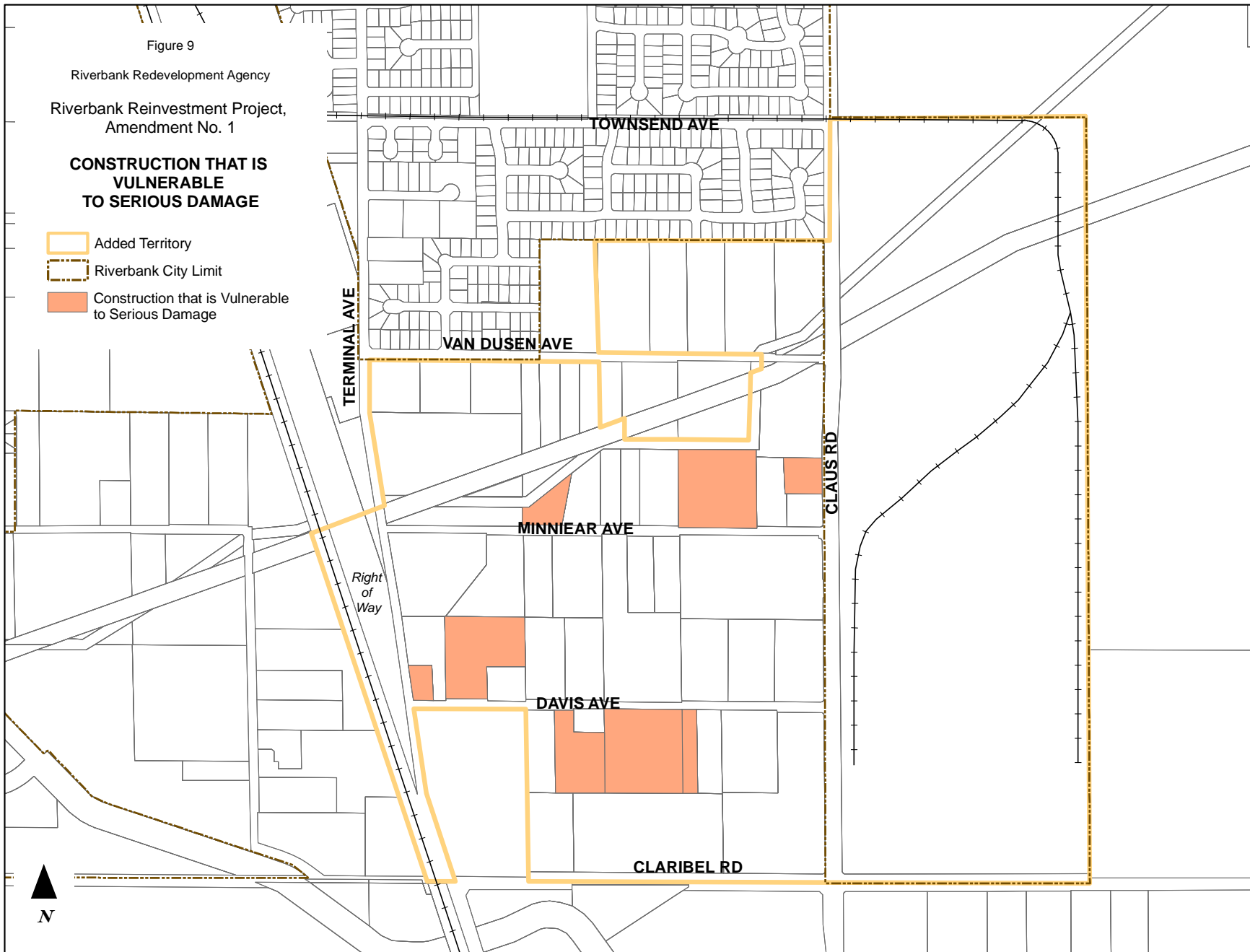
characteristics, that parcel must exhibit two conditions with reference to the 20-point scale: i) the parcel must have at least one Blight Indicator that reaches a level of seriousness to equal at least 5 points, and ii) the parcel must have a sufficient number of Blight Indicators so that their combined total equals at least 20 points.

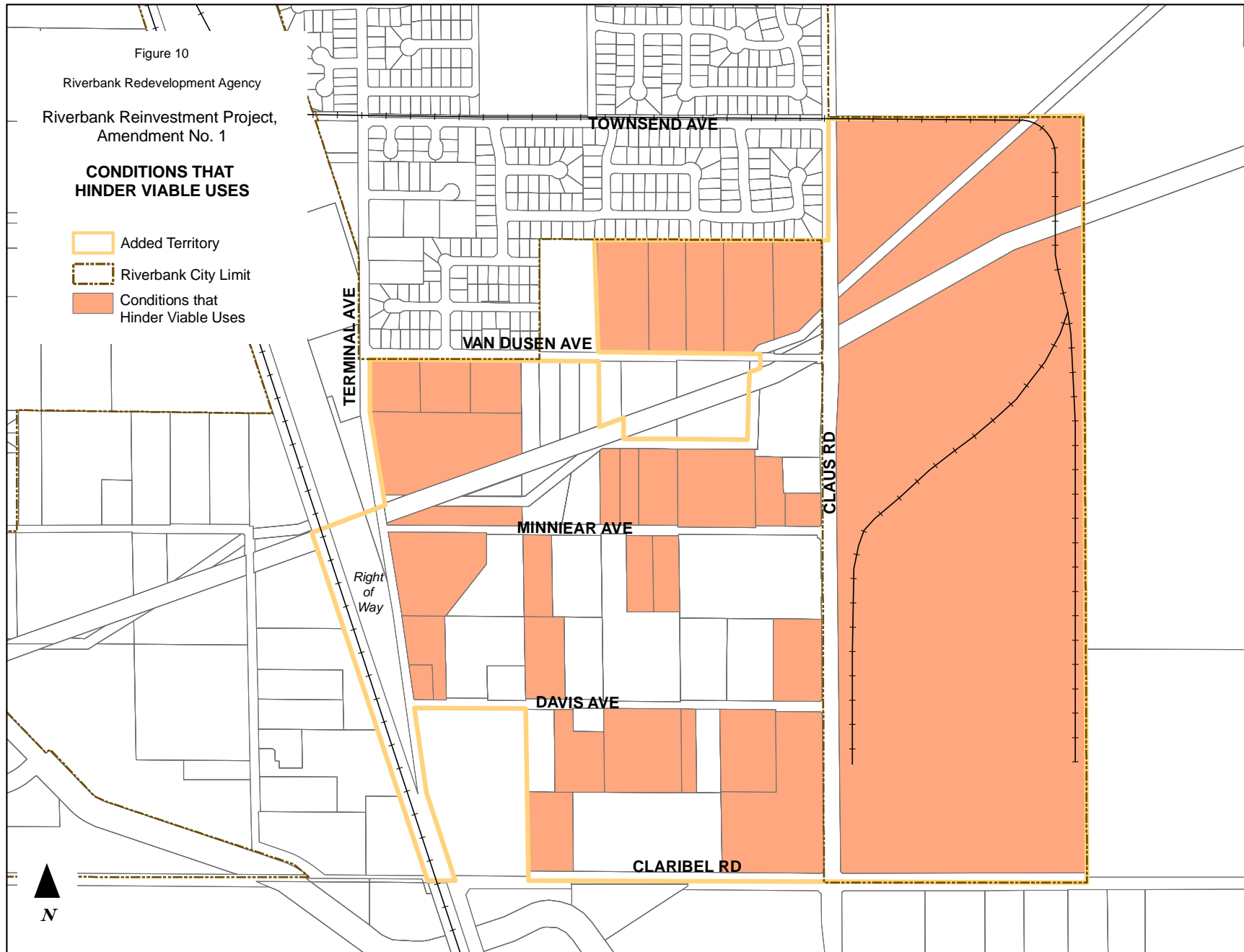
Figure 13 shows those parcels in the Added Territory that fit this category and exhibit sufficient evidence of physical blight such that the City Council could make a determination, based upon the evidence contained in this Unified Report and graphically illustrated in the map, that these properties exhibit conditions of physical blight. Of the 62 parcels in the Added Territory, 19 (31% of all parcels; 69% of all land area) exceed 20 blight points. By comparison, only 7 parcels (11% of all parcels; 14% of all land area) were found with no blight points. Therefore, the amount of physical blight that remains in the Added Territory is significant.

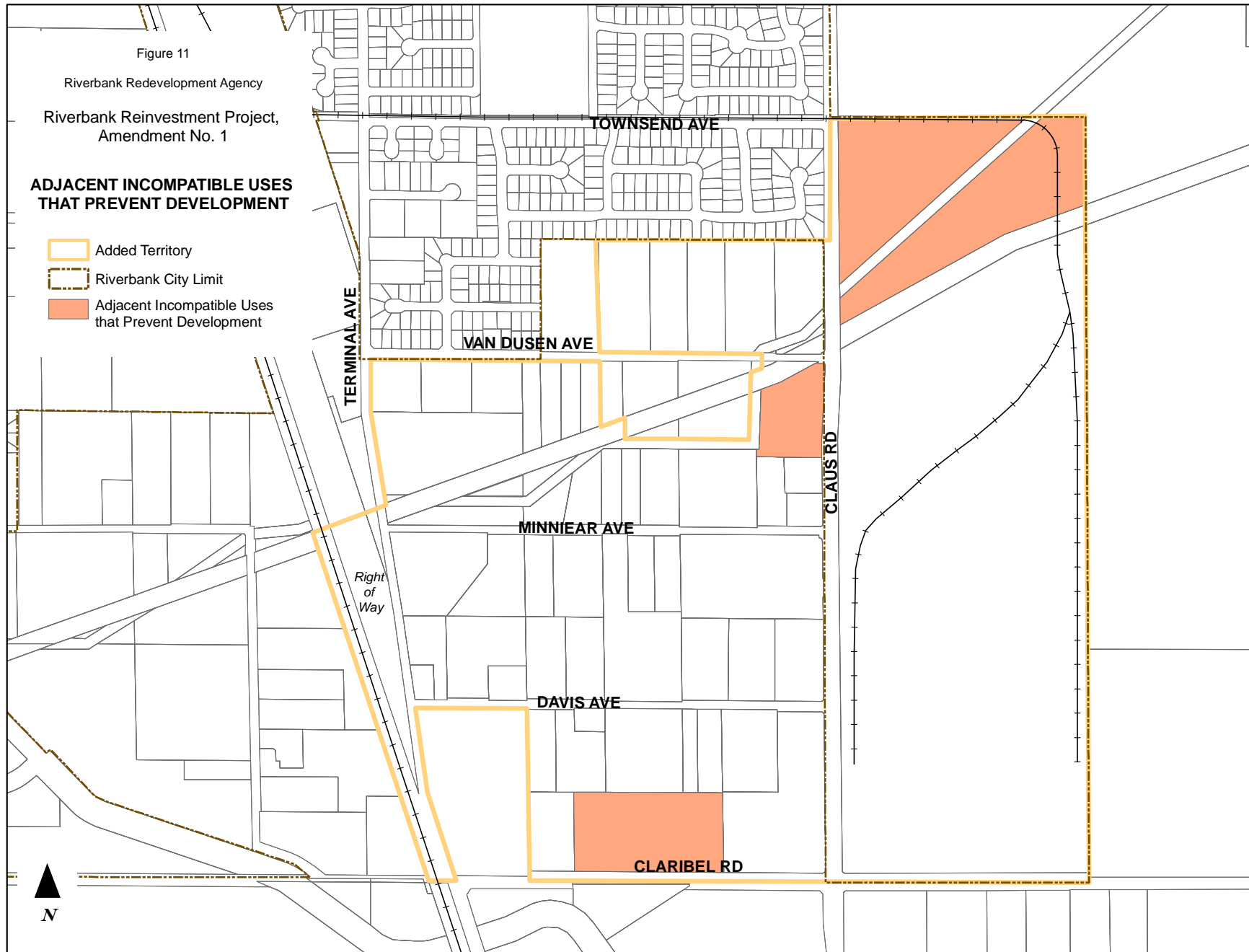
The presence of these serious conditions throughout the Added Territory, in the concentrations identified above and graphically reflected in Figure 13, shows that the blight identified is not something which occurred over the past year, or even the past several years. They represent a burden on the community which mere "paint up, fix up" or other sorts of minimally corrective programs cannot successfully address. The long-term neglect evident in the record included herein is clear.

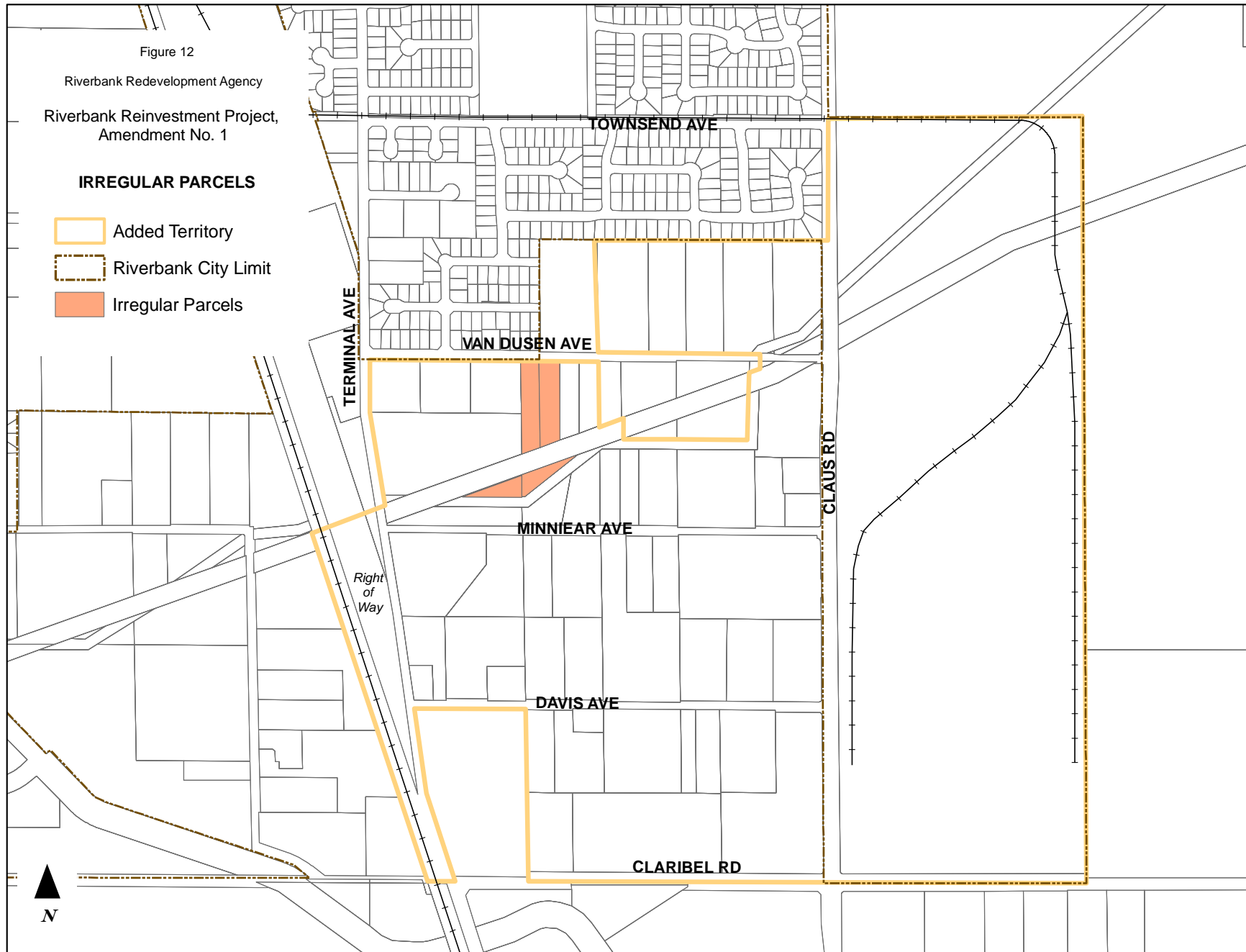
While municipal resources such as the City's General Fund or CDBG funds will continue to be marshaled to address specific instances when and as they become overwhelmingly apparent, only locally wielded instruments such as redevelopment can continue to address the root causes of area-wide vulnerability. This is the fundamental reason for the proposed Amendment as funds generated by redevelopment will address these concerns.

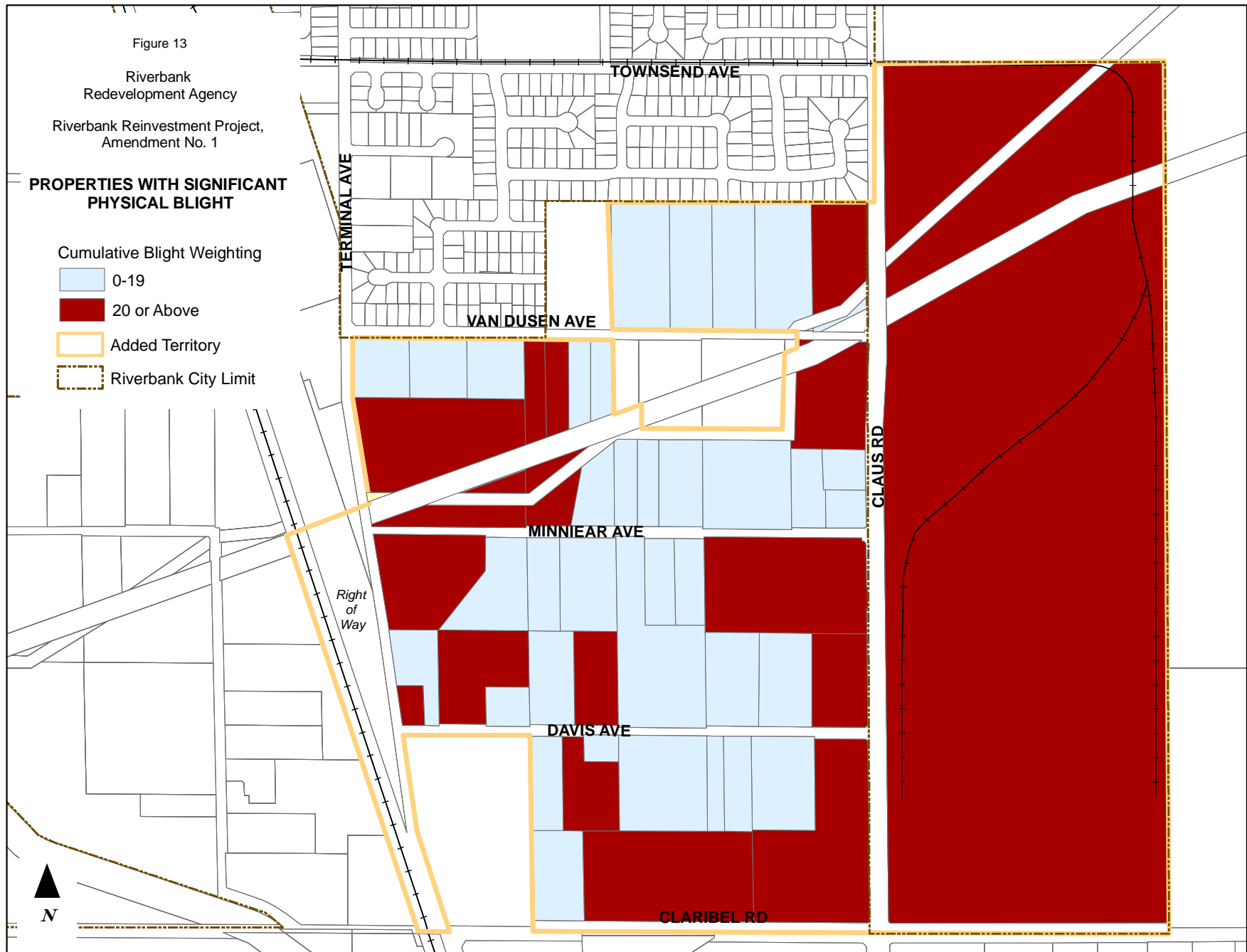












6.2 ECONOMIC CONDITIONS DESCRIBED

6.2.1 Depreciated or Stagnant Value

As discussed above, the CCRL identifies depreciated property values as being an indicator of economic blight, including those that may be due, in significant part, to hazardous wastes. Stagnant or depreciating property values contribute to generally impaired investments, in that a lack of expected returns on property often results in deferred maintenance and lack of reinvestment. This in turn, contributes to further declines in property values. If the decline is significant, then the value of the owner's investment will decline. In extreme cases, owners may begin to abandon their investments in the area.

Single Family Residential Sales Trends

As shown in Table 8, below, single family residential sales values in Riverbank outside the Amendment Area generally trended upward during the 2003 through 2005 period, even after background inflation in the residential market is accounted for. (2006 and 2007 values were ignored in order to screen out the effect of the market-wide declines in residential values experienced starting in late 2006.) City-wide values rose from \$204 per square foot to \$249 per square foot after background housing inflation was accounted for. On the other hand, inflation-adjusted values in the Amendment Area have risen at a slower rate, and showed a decrease in the 2004 through 2005 period.

TABLE 8
1995 THROUGH 2005 PER-SQUARE-FOOT-SALES VALUE TRENDS CITY OF RIVERBANK
OUTSIDE THE ADDED TERRITORY AND ADDED TERRITORY ONLY ADJUSTED BY STANDARD
AND POOR'S CASE-SHILLER HOME PRICE INDEX

Year	Case/Shiller Price Index ¹	Riverbank Data Outside the Added Territory			Added Territory Data		
		Average Price/SqFt	Value Adjusted by Case/Shiller Index	Annual Change	Average Price/SqFt ²	Value Adjusted by Case/Shiller Index	Annual Change
1995	67.30	\$81	\$250		\$47	\$144	N/A
1996	67.50	\$75	\$231	-7.69%	\$65	\$200	38.89%
1997	72.76	\$70	\$200	-13.45%	\$84	\$239	19.50%
1998	81.64	\$74	\$187	-6.71%	\$102	\$258	7.95%
1999	92.50	\$83	\$186	-0.28%	\$127	\$284	10.08%
2000	115.95	\$92	\$164	-11.98%	\$152	\$271	-4.58%
2001	130.73	\$113	\$179	9.53%	\$177	\$280	3.32%
2002	136.79	\$115	\$174	-2.84%	\$202	\$305	8.20%
2003	147.52	\$146	\$204	17.36%	\$227	\$318	4.27%
2004	171.36	\$179	\$216	5.79%	\$272	\$329	3.46%
2005	206.91	\$249	\$249	14.97%	\$326	\$326	-0.92%

Soucre: UFJ|GRC, 2008. Stanislaus County Assessor, September, 2007. Standard and Poor's Case-Shiller Home Price Index, 2008.

¹Case-Shiller index used to adjust home prices to remove the effect of background inflation much as the Consumer Price Index is used to adjust dollar values to account for background inflation.

²Amendment Area values estimated in 1996, 1997, 1999, 2000, 2001 and 2002 due to lack of adequate sales data from the Amendment Area. 2006 and 2007 values were not used in order to screen out the effect of the housing market decline experienced starting in 2006.

When adjusted for inflation using the Case-Shiller Home Price Index, average annual home prices in the Amendment Area rose at only 3.46% per annum between 2003 and 2004, and declined in 2005. The Case-Shiller index is useful in determining the real value of home prices when compared to the larger (in this case region-wide) market. It is useful in controlling for background inflation, and thereby estimating the real value of housing, as opposed to the inflated values.

Note that home prices in the Amendment Area peaked in 2004, while City-wide and regionally the peak was in 2006. This may indicate that the Amendment Area started into the current real estate market decline earlier than the rest of the region.

Based on these data, the Amendment Area's residential real estate market has been stagnant or is generally declining, and has been declining for a longer period than the rest of Riverbank and the region-wide market.

Factors Affecting Property Values

A number of local environmental factors appear to be affecting property values in the Added Territory. These include:

- The proximity to soils and groundwater contamination from the Plant. The contamination plume extends under the residences in the Added Territory, and requires additional clean-up to meet residential standards. Agency funds may be necessary as per CCRL Section 33031(b)(2), if not completely remediated by the Army.
- Railroad noise from the west affects the Added Territory, and there is potential for significant land use incompatibilities in the future given the residential densities allowed under the General Plan.
- The need for an adequate sewer system to replace the existing septic tanks.

6.2.2 Statement that there are Depreciated Values

With the property value reductions that are known and the fact that it is located between a busy railroad track and a Superfund site with industrial uses, the Added Territory suffers from depreciated values and impaired investments.

Based upon this information, the City Council may make the finding that the incidence of blight as defined in CCRL Sections 33031(b)(1) and 33031(b)(2) in the Added Territory is significant.

6.2.3 A Serious Lack of Commercial Facilities

CCRL Section 33031(b)(4) provides that an economic condition which causes blight consists of a serious lack of commercial facilities that are normally found in a neighborhoods, such as grocery stores, drug stores, and banks.

An analysis of the locations of grocery stores, drug stores, and banks in the area shows that, other than small liquor stores, the closest grocery store is a SaveMart about two miles west of the Added Territory at the northeast corner of Claus Road and Oakdale Road. The next-closest markets are Garcia's and Fair Deal, which are both on 3rd Street in downtown Riverbank, about two and one-half miles away.

Drug stores and banks are in a similar position, with three locations about three miles away at Patterson Road and Oakdale Road.

6.2.4 Statement that there is a Serious Lack of Commercial Facilities

As was identified in the blight documentation for the adoption of the Riverbank Reinvestment Project in 2005, there is a lack of commercial facilities in the entire City, and especially in this portion of the City. With only one option for groceries within two and one-half miles, the same option for drugs within three miles, and three banks within three miles, it is clear that the neighborhood of the Added Territory is underserved.

A two-mile radius with no commercial facilities is significant and must be considered beyond the distance of what constitutes a neighborhood. In fact, there is no portion of the City that is further away from commercial facilities than the Plant site.

Based upon this information, the City Council may make the finding that the incidence of blight as defined in CCRL Section 33031(b)(4) in the Added Territory is significant.

6.2.5 Inadequate Public Improvements

CCRL Section 33030(c) provides that a blighted area that contains physical and economic blight may also be characterized by the existence of inadequate public improvements. Because physical and economic conditions of blight exist throughout the Added Territory, as described above, inadequate public improvements may also be used to provide further evidence that the area is blighted.

Information from City officials shows that there are extensive public improvement deficiencies in the Added Territory, including:

- Roads that are in poor condition and lack curb, gutter, sidewalks, streetlights, and other improvements that are needed for safety and efficiency
- Utilities, such as gas, electricity, and water and sewer lines, that are insufficient and important because current utilities are inadequate for the existing uses as well as those planned for the area
- Drainage problems throughout the Added Territory
- Circulation across the railroad tracks, which has proven to be deadly for those in vehicles and pedestrians
- Fire safety, particularly the lack of fire suppression systems
- ADA compliance, which would allow greater access to the buildings, sites, and public rights-of-way in the Added Territory as well as satisfy Federal law

Each of these issues is important to the health, safety, and welfare of the residents and workers in the Added Territory.

The Draft Reuse Plan notes the deficiencies on the Plant site. These include:

- Stormwater managemet systems

- Natural gas extensions
- Water system extensions
- Sewer connections
- Fire suppression, including the upgrade/replacement of existing water tanks that do not comply with current seismic requirements
- Electrical system extensions

Therefore, it is critical that public improvements are made to alleviate this condition of blight. Specific improvements that are needed to alleviate inadequate public improvements are listed in Section 8.3.

Overall, these improvements are estimated to cost nearly \$10,000,000, excluding the Plant. Costs related to the Plant have not been determined at this time. Certainly the cost associated with public improvements on the Plant could dramatically increase the estimate amount.

6.2.6 *Statement that there are Inadequate Public Improvements*

With nearly \$10 million needed for infrastructure in the area outside of the Plant, it is clear that the Added Territory suffers from inadequate public improvements.

Based upon this information, the City Council may make the finding that the incidence of blight as defined in CCRL Section 33030(c) in the Added Territory is significant.

6.3 *STATEMENT PROVIDING COMPELLING EVIDENCE THAT CONDITIONS OF PHYSICAL AND ECONOMIC BLIGHT ARE SIGNIFICANT THROUGHOUT THE ADDED TERRITORY*

A review of the information provided above, in Appendix D and E, and in the maps provided show that there are a substantial number of parcels in the Added Territory that suffer from serious conditions of blight. In addition, photographs of sample properties within the Added Territory with blight conditions are provided in Appendix E.

Based upon this information, the City Council may make the finding that the incidence of physical and economic blight, as defined in the CCRL, is significant in the Added Territory.



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7.0 INCLUSION OF PARCELS NECESSARY FOR EFFECTIVE REDEVELOPMENT

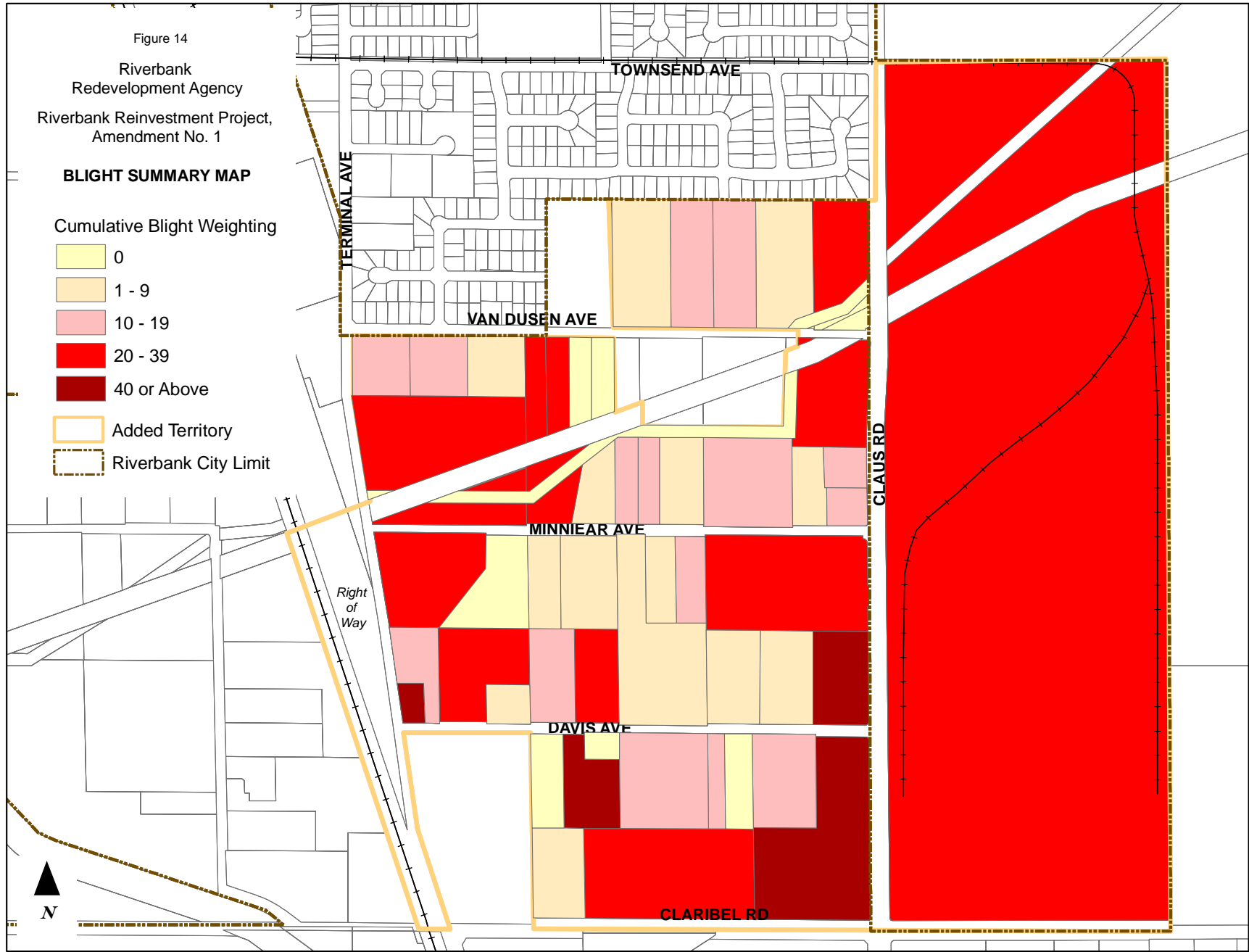
Although conditions of physical and economic blight are prevalent and substantial throughout the Added Territory, a limited number of parcels have been included within the Added Territory because they are necessary for effective redevelopment of the overall Added Territory, as provided for in CCRL Section 33321. These parcels include those that did not reach the threshold of 20 Blight Points, as shown on Figure 14. Such parcels are an "integral part" of an area where conditions detrimental to the public health, safety, or welfare predominate and injuriously affect the area.

As discussed in the methodology portion of this Report, parcels may be found to be necessary for effective redevelopment if their:

- Exclusion would create one or more "donut holes" in the area or a "checkerboard" area, making planning and implementation efforts ineffective
- Inclusion provides for more rational development of parcels
- Exclusion would create an artificially complicated or irrational boundary line

An analysis of the 43 parcels that do not meet the 20-point blight threshold shows that 36 of them have at least one characteristic of physical blight and one characteristic of economic blight. They are also surrounded by blighted parcels and an existing redevelopment area, which has been found to be blighted. Therefore, these 36 parcels are necessary for effective redevelopment.

If the remaining seven parcels with no physical blight conditions were to be removed from the Added Territory, they would create donut holes and an unnecessarily complicated boundary that restrict the Agency's effort in providing comprehensive improvements throughout the area. As such, it is recommended that they remain in the Added Territory because they are also necessary for effective redevelopment.





8.0 INFORMATION REQUIRED BY CCRL SECTION 33451.5

8.1 MAP SHOWING PORTIONS OF THE PROJECT AREA THAT IS NO LONGER BLIGHTED, PORTIONS THAT ARE BLIGHTED, AND PORTIONS THAT ARE NECESSARY AND ESSENTIAL FOR THE ELIMINATION OF REMAINING BLIGHT

Portions of the Added Territory that are either blighted (20+ Blight Points) or necessary for effective redevelopment (0-19 Blight Points) were shown in Figure 14.

For the Existing Project Area, areas where blight no longer remains and areas that remain blighted are shown in Figure 15. Nearly all of the Existing Project Area is in the same condition as it was when the Reinvestment Plan was adopted in 2005. Properties that have been improved since that time are noted as no longer blighted, including new residential uses south of the downtown area, east of Roselle Avenue at the southern border of the Existing Project Area, and east of Jackson Avenue south of Patterson Road, and new commercial uses in the downtown area and along Patterson Road west of Jackson Road. In addition, new streets, alleys, and drainage systems have been constructed in the downtown area.

One significant part of the Existing Project Area has worsened since 2005. The California Fruit and Tomato plant, which used to be located at Santa Fe Street and the railroad tracks, is now vacant with several of the buildings demolished. This site may require a significant investment from the Agency to redevelop.

8.2 DESCRIPTION OF BLIGHT REMAINING IN THE PROJECT AREA

Blight in the Added Territory has been described throughout Chapter 6.0.

As shown in Figure 15, physical and economic conditions in the Existing Project Area are similar to how they were when the area was adopted as a redevelopment project in 2005, with the exception of the few small areas discussed above where new development has occurred. These conditions were described in detail in the Agency's Report to the City Council, which is hereby incorporated by reference.

8.3 DESCRIPTION OF PROJECTS OR PROGRAMS PROPOSED TO ELIMINATE ANY REMAINING BLIGHT IN THE PROJECT AREA

Projects and programs required to eradicate blight in the Added Territory is the same for the Existing Project Area, with the exception of the downtown revitalization element. The applicable projects and programs include:

8.3.1 Public Improvements

A lack of adequate public improvements is a significant factor in causing both economic and physical blight, because this lack reduces the usability of the land and its structures for the purposes for which they are intended. Furthermore, the lack of adequate infrastructure adds significantly to improvement costs. These additional costs could ultimately make the land uneconomic to develop without direct or indirect assistance from the Agency through, amongst other things, the provision of public facilities.

In other words, land without adequate services may be rendered economically unusable due to the high cost of providing new sewer or water lines. The Agency could help make the land much more attractive to private investment by financing the construction of public facilities serving the proposed Added Territory. This would, in turn, make the land much more attractive to private investment. The new private investment would then generate additional property tax revenues, which ultimately would be recycled into further Agency investment in the Added Territory.

The following is a list of improvements that are in the Added Territory to alleviate blight:

Roads

- Clear & Grub
- Grading
- Pavement
- Street Lighting
- Traffic Signal
- Curb, Gutter Sidewalk
- Various improvements necessary to redevelop the area

Utilities

- Electrical
- Gas
- Telephone
- Various improvements necessary to redevelop the area

Water

- 12 inch Water
- 8 inch Water
- Hydrants
- 2M Gallon Water Tank
- Booster Pump

- Valves
- Various improvements necessary to redevelop the area

Sewer

- 12 inch Trunk
- 8 inch Trunk
- 8 inch Force Main
- Lift Station
- Manholes
- Various improvements necessary to redevelop the area

Other

- On-Site Storm System
- Landscaping
- Railroad tracks and related rights-of-way
- Various building code upgrades
- Fire suppression
- ADA compliance
- Asbestos, lead paint, and other hazardous material remediation
- Various improvements necessary to redevelop the area

The combined costs of the various needed facilities puts them beyond the financial means of the City, private developers, and individual property owners. As discussed earlier, City officials estimate that known public facility needs in the proposed Added Territory amount to nearly \$10,000,000, not including those needed on the Plant site.

8.3.2 Development Assistance

In order to ensure the financial feasibility of development and rehabilitation projects in the Added Territory, the Agency may find it necessary to directly reduce the cost of development or rehabilitation activities. One technique commonly used by redevelopment agencies is the provision of tax exempt financing, which serves to reduce the financing cost of a project. Such incentives may take the form of certificates of participation, lease revenue bonds, industrial development bonds and various forms of tax exempt notes at various terms.

Another technique available to the Agency is to acquire property in the Added Territory and to “write down” the cost of the land when it is sold to a developer or owner participant. Such land write-downs would only occur in accordance with an executed development agreement, which would provide appropriate assurances that the developer or owner-participant would complete the project. In addition, any Agency commitment to reduce the cost of land it has purchased would be based on

a detailed analysis of the developer's cost and revenue pro forma for the proposed project. The sales price may be no less than the "reuse" value of the land. The purpose of such analysis would be to show that the contribution of tax increment funds to the Project through the land write-down process does not simply result in extra profit for the owner participant or project developer. Where a contribution of tax increment funds to a specific development project is determined to be necessary, the Agency may take an equity or income position in the project in order to recoup all or a portion of those tax increment funds to support other Agency activities.

In assisting with rehabilitation activities, the Agency may establish rehabilitation loan programs, which provide financial assistance at favorable interest rates or with other favorable terms. In some instances, Agency grants may be used to induce rehabilitation activities. Agency loans or grants may also be used to assist with the clean-up of hazardous materials.

As with land price inducements, Agency rehabilitation assistance would be provided only to the extent needed, and then only pursuant to an agreement with the property owner or developer to ensure that the rehabilitation work would be completed in accordance with Agency standards.

The types of Agency assistance described above would be the primary tools used to carry out generalized redevelopment activities, such as commercial expansion, industrial renewal, neighborhood improvement, and various types of rehabilitation activities. These activities are needed throughout the Added Territory and will be used as necessary in conjunction with owner participation and developer agreements.

8.3.3 *Housing Assistance*

CRL requires that the Agency set aside 20% of the tax increment revenues it receives for the purpose of increasing, preserving, or improving low- and moderate-income housing. Additionally, the CCRL requires the Agency to provide replacement housing on a unit for unit basis if any low- or moderate-income housing units are removed from the housing market as a result of the redevelopment program.

At present there are about 25 dwelling units on land designated in the General Plan for non-residential uses. These units are considered non-conforming residential units because their use does not conform with the General Plan. While the Agency cannot remove any residential structures at any time, it is possible that these units could be replaced over the life of the Redevelopment Plan through the open market.

The Agency expects the bulk, if not all, of tax increment funds set aside for low- and moderate-income housing to be used for housing rehabilitation and new construction. In addition, because of the vast needs in the Added Territory, this assistance will likely be provided within the boundaries of the Added Territory, although such assistance could occur within the Existing Project Area.

8.3.4 *Relocation Assistance*

The CCRL and the Relocation Guidelines of the State of California require that relocation assistance be provided to persons, businesses, and other entities

displaced as a result of redevelopment activities. Because there will be no eminent domain in the Reinvestment Plan, any relocation would be temporary and on a voluntary basis.

Relocation assistance must include relocation advisory assistance, as well as financial assistance to offset moving expenses and to otherwise assist displaced persons or businesses in locating suitable replacement facilities. Under current law, there is no limit on Agency payments for moving and relocation expenses; however, the limit for replacement housing payments is \$5,250 for tenants and \$22,500 for owner-occupants.

Business and industrial relocation expenses are limited to the expenses involved in moving the business to another location, as well as certain re-establishment costs. These costs may be substantial depending upon the particular circumstance.

Over the life of the Project, relocation expenses may be incurred for residential and commercial uses if dilapidated buildings, nonconforming uses, and other hazards are removed from the Added Territory for purposes of redevelopment. In such cases, the Agency will meet its legal obligations to provide relocation assistance and benefits to relocatees.

The implementation of the programs and projects on the list below will improve physical and economic conditions in the Amended Project Area as identified in Table 9 below:

TABLE 9 PROGRAM AND PROJECTS NECESSARY TO ELIMINATE BLIGHT							
PROGRAMS & EXPENDITURES	PHYSICAL CONDITIONS				ECONOMIC CONDITIONS		INFRA-STRUCTURE
	UNSAFE OR UNHEALTHY BUILDINGS	CONDITIONS THAT PREVENT OR SUBSTANTIALLY HINDER VIABLE USES	INCOMPATIBLE USES	IRREGULAR PARCELIZATION	DEPRECIATED VALUES	LACK OF COMMERCIAL FACILITIES	INADEQUATE PUBLIC IMPROVEMENTS
PUBLIC IMPROVEMENTS	•				•	•	•
DEVELOPMENT ASSISTANCE	•	•	•	•	•	•	•
HOUSING ASSISTANCE	•	•	•		•		•
RELOCATION ASSISTANCE	•	•	•		•	•	•

8.4 DESCRIPTION OF HOW THE PROJECTS AND PROGRAMS WILL ALLEVIATE CONDITIONS OF BLIGHT

Generally, the Agency's continuing program of redevelopment is designed to alleviate the most prevalent conditions of blight that exist in the Amended Project

Area. The Agency cannot solely eliminate all remaining conditions of blight. However, the Agency intends to continue to act as a catalyst to spur the private sector to further assist in the revitalization of the area.

A public improvement program will fund improvements designed to strengthen the Added Territory and the overall Project Area, and will provide environmental benefits as well. These improvements will specifically address important infrastructure items that are needed to not only protect local residents and businesses, but attract new uses to the area, particularly to the Plant site.

Housing programs will implement one of the major goals of the CCRL, which is to increase, improve, and preserve low- and moderate-income housing. In attaining this goal, the Agency will also alleviate blighting conditions related to buildings, sites, and surrounding properties. Development of new and the rehabilitation of existing housing will also enhance the economic vitality of the entire City.

Community development and commercial rehabilitation programs will assist in the elimination of blight in a number of areas, including the rehabilitation of the most deteriorated and obsolete structures, and alleviate incompatible use by guiding development into clusters of similar uses. This program will also assist in the alleviation of economic blight by reversing conditions of impaired investment, and creating more shopping opportunities and job centers. The resulting increase in property values and the tax increment revenue will provide one of the main funding sources for future improvements.

To the extent feasible, such projects, which were described in detail in Section 8.3, will be prioritized using the criteria outlined below in Table 10, which is from the Agency's Implementation Plan for the Riverbank Reinvestment Project.

TABLE 10 PROJECT EVALUATION CRITERIA	
NO.	CRITERIA (not in order of priority)
1.	Results in the implementation of the Riverbank General Plan and is consistent therewith
2.	Protects and preserves Riverbank's residential neighborhoods
3.	Promotes revitalization of all neighborhoods located within or around the Project Area
4.	Provides incentives for development of under-utilized parcels
5.	Maximizes business and employment opportunities for local residents
6.	Provides better lighting, streetscape, traffic, and other public improvements
7.	Encourages community involvement and enhances community identity

TABLE 10 PROJECT EVALUATION CRITERIA	
NO.	CRITERIA (not in order of priority)
8.	Represents a sound investment for the Agency and promotes a healthy local economy
9.	Bolsters and supports the Project Area’s marketability
10.	Help improve the visual quality and distinctiveness of Riverbank’s residential, commercial, and industrial areas

Occasionally, other development efforts will require Agency assistance, but may not meet all the above criteria. Such other projects may be funded by the Agency if the Agency finds that:

1. The goals and objectives of the Reinvestment Plan are furthered, or
2. Specific conditions of physical or economic blight within the Project Area will be mitigated in whole or in part through construction of the project, or
3. Specific conditions relative to a development project, including the financial feasibility thereof, require that public assistance be given.

8.5 REASONS WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT THE AMENDMENT

Without the Amendment, there would be no ability for the Agency to spend tax increment funds from the Existing Project Area in the Added Territory, except for very limited reasons. There are a substantial number of negative conditions in the Added Territory and, without redevelopment, few monetary options for the City to resolve them. Therefore, realistically, the only way to provide the incentives necessary to revitalize the Added Territory is to amend the Revitalization Plan to include such portions.

The private sector has neither the funds nor the legal ability to implement the projects and programs that are needed. For example, the construction of infrastructure in the Added Territory is not privately funded as this is a governmental function. The same can be said for housing programs because the private sector is not likely to be able afford to subsidize low- and moderate-income housing, especially in the current economic turmoil.

Looked at another way, the public and private sectors have had decades to reverse the trend of blight in the Added Territory and it simply has not occurred. In fact, based on observations of the Added Territory at the time of the adoption of the Existing Project Area about three years ago, conditions have only worsened with the public and private sectors acting alone. Therefore, it is critical that redevelopment be utilized in order to provide a funding mechanism for improvements.

8.6 PROPOSED METHOD OF FINANCING THE PROJECTS AND PROGRAMS

The CCRL requires that this Report include information on the proposed method of financing the redevelopment plan, including information on the economic feasibility of the Added Territory and the reasons for including tax increment financing. The financial analysis herein analyzes the financial feasibility of the entire Project Area, including the Added Territory (Amended Project Area). This chapter includes information on the estimated costs of the program of redevelopment; describes the various financing sources that may be used; demonstrates the economic feasibility of the Amended Project Area; and describes the reasons for including tax increment financing in the Reinvestment Plan.

8.6.1 Redevelopment Program Costs

The costs to implement the redevelopment program are summarized on Table 12. The costs on Table 12 are shown in current (2008) dollars. In addition to the program costs shown on Table 12, the Agency will need to incur expenses for administration of the Amended Project Area. Such costs will include staff time, legal and technical assistance, and the preparation of planning studies and reports.

The total costs for the Agency's revitalization effort is estimated at \$142.7 million in 2008 dollars. This amount does not include the impacts of inflation or the interest costs associated with the borrowing of funds to continue to implement the redevelopment program. It also does not include mandatory payments to the taxing entities. Each of these items has been included on Tables 15 and 16 which reflects the overall analysis of the Amended Project Area's economic feasibility.

8.6.2 Financing Methods and Alternatives Available to Fund Redevelopment

The amended Redevelopment Plan will continue to authorize the Agency to fund activities from a variety of sources, including: financial assistance from the City, the State and the federal government; tax increment funds; Agency bonds; donations; special assessment districts; interest income; loans from private financial institutions; the lease or sale of Agency owned property; and any other legally available public or private sources of funding.

The Agency will also continue to be authorized to obtain advances, borrow funds and create indebtedness in various forms. This includes the issuance of bonds. The indebtedness and bonds can be repaid from tax increment revenues or other funds available to the Agency. The City may also provide assistance to the Agency to fund the Amended Project Area, as it is able to. Given the current status of the economy, and the fact that the State recently took nearly \$100,000 from the Agency as part of the 2006-07 ERAF Transfer, it is unlikely that any such funding would be forthcoming. If it did, it would most likely be in the form of a loan that would need to be repaid in the future.

8.6.2.1 Sources other than Tax Increment

Financial assistance from the City, state and federal government may be used by the Agency to fund redevelopment program expenses. The Agency will also actively

solicit financial assistance in the form of grants and loans from the State and federal government. However, such funding is difficult to obtain, and cannot provide an ongoing source for implementing the type of revitalization effort that is required in the Project Area.

As part of the implementation of redevelopment, the Agency may acquire property (although the Agency will have no eminent domain power). The sale of such property will create a resource that can be used to fund redevelopment activities. In most instances, land sale proceeds only offset a portion of the costs for a specific development project, and do not create a resource that is available for a general revitalization effort. Specific information on land acquisition or sale proceeds are not known at this time.

The Agency intends to implement a Commercial Rehabilitation Program. Some portion of the funds used for rehabilitation will likely be in the form of loans, which will be repaid over time.

The Agency may also consider the creation of assessment and community facilities districts to fund redevelopment activities. Such districts will require voter approval from those that live within the boundary of such district. In addition, a portion of the costs for public improvement projects will be funded through development impact fees.

8.7 TAX INCREMENT REVENUES, BONDS AND LIMITATIONS

Tables 13 and 14 provide an estimate of the tax increment revenues that could be generated in the Existing Project Area and the Added Territory. The tax increment revenue projection is based on the following assumptions:

- The Proposition 13 allowable inflationary adjustment of up to 2 percent annually. Due to the recent downturn in the residential real estate market, we have assumed no growth in the Original Area for 2009-10.
- An additional 2 percent adjustment to taxable values to reflect changes of ownership and other new development activity not identified in Table 11 below. For the Existing Project Area, we have included this assumed trend starting in 2010-11.
- New development activity that is assumed to occur based on Agency activities. Data on new development is based on information provided by the City, with the exception of the business park square footage for the Added Territory. Those are based on the preferred land use concept contained in the base reuse plan.

TABLE 11 NEW DEVELOPMENT POTENTIAL			
	Units	Square Footage	Estimated New Value
<i>Existing Project Area</i>			
Residential	163		40,750,000
Commercial		45,000	6,000,000
Industrial		97,470	7,800,000
Mixed Use		402,496	60,400,000
Total	163	544,966	114,950,000
<i>Added Territory</i>			
Business Park – Indus.		1,221,441	91,608,000
Business Park - Comm		84,605	10,576,000
Residential	651		162,750,000
Total	651	1,306,046	264,934,000

Total gross tax increment shown on Table 13 is estimated at \$475.2 million for the Existing Project Area. For the Added Territory, total tax increment is estimated at \$285.4 million. These amounts have been reduced for property tax administrative fees that will be collected by the County. Mandatory tax sharing payments to the taxing entities per the provisions of the CCRL have also been deducted. The tax sharing payments are based on a three tier formula. All payments are made after the Agency’s deposit to its housing set-aside.

Tier	Payment Required
Tier 1	25% of total tax increment during the entire term the Agency receives tax increment.
Tier 2	Beginning in the 11th year that the Agency receives tax increment, an additional payment equal to 21% of the tax increment attributable to growth above year 10 levels.
Tier 3	Beginning in the 31st year that the Agency receives tax increment, an additional payment equal to 14% of the tax increment attributable to growth above year 30 levels.

The Agency will also be required to deposit 20 percent of tax increment into a Low and Moderate Income Housing Fund. The deposit to the Housing Fund is estimated at \$94.9 million for the Existing Project Area (\$26.8 million on a net

present value basis, using a 5 percent discount rate) and \$57.1 million for the Added Territory (\$13.6 million net present value).

After reductions for the above items, discretionary tax increment is estimated at \$237.9 million for the Existing Project Area and \$147.0 million for the Added Territory. On a net present value basis, discretionary tax increment is estimated at \$69.9 million for the Existing Project Area and \$38.1 million for the Added Territory.

The Agency will also continue to be authorized to issue tax allocation bonds under the Reinvestment Plan. Provisions of the CCRL require that the Agency establish a limitation on the principal amount of bonds that can be outstanding at one time. That limit has been calculated on Table 15. The limitation is based on the total program costs shown on Table 12. Because the costs on Table 12 do not include any provisions for contingencies, a 30 percent factor has been applied to program costs. Inflationary impacts must also be considered, and so a factor of 20 percent has been added for this. The Agency will incur various costs when issuing bonds.

Therefore, a 15 percent factor has been applied for finance costs. Based on these factors, the total bonded indebtedness limit for the Project Area, including the Added Territory, has been calculated at \$260 million. This represents a \$120 million increase over the current bond limit in the Redevelopment Plan of \$140 million

8.8 PROPOSED FINANCING METHOD AND ECONOMIC FEASIBILITY

The proposed method of financing redevelopment and the economic feasibility of the Amended Project Area have been demonstrated under two different approaches. First, a cash flow analysis was prepared for the next ten years of Project implementation, as shown on Table 15. Second, aggregate costs were compared to aggregate revenues on a net present value basis to determine the overall feasibility of the Amended Project Area. This is shown on Table 16. A separate analysis of financial feasibility was not prepared for the Added Territory, since tax increment funds from either the Existing Project Area or the Added Territory will be available to fund projects. As such, this section will demonstrate the continuing economic feasibility for the entire Amended Project Area, inclusive of the Added Territory.

It should be noted that the analysis shown on Tables 15 and 16 are based on one set of assumptions for implementation of redevelopment. It should not be considered the only means to finance redevelopment of the Amended Project Area. The analysis does indicate that the Amended Project Area will continue to be financially feasible given the set of assumptions that underlie the projections. The primary assumptions in this regard are that the costs for redevelopment activities are as projected and that new development activity will occur in the Amended Project Area as the Agency begins to remove impediments to development.

The cash flow analysis (Table 16) shows a projection for the next ten years of Project implementation. The cash flow indicates:

- Financing for the Amended Project Area for the next four years will consist of completing the current projects that the Agency has funding for. It is anticipated that tax increment revenues will begin to grow again in 2011-12, and that tax increment from the Added Territory will begin to flow then.
- The Agency could issue bonds in 2013-14 and use the proceeds to invest in projects that will result in further growth in tax increment revenues through the Development Assistance Program.
- The Agency could fund certain public improvements in other parts of the Existing Project Area and the Added Territory as a means to spur private sector investment.

The cash flow for the first ten years also indicates that achieving each of the above activities will largely take all of the available resources of the Agency. At the end of the tenth year, all but \$352,000 in resources will have been used.

The overall picture for the Amended Project's implementation is shown on Table 16. The analysis indicates that the Agency can meet the costs for all of the programs outlined in this section. Thus, the Amended Project Area would be financially feasible. At the end of the Amended Project Area all but \$5.7 million of the resources generated by the Amended Project Area would be used. The funding amount represents a hedge against future uncertainties.

8.9 REASONS FOR INCLUDING TAX INCREMENT FINANCING IN THE AMENDED PROJECT AREA

The Agency intends to implement a pro-active program of redevelopment in order to alleviate blight and create and improve affordable housing in the entire Amended Project Area, including the Existing Project Area and Added Territory. The cost of that program, as described in this part of the Report, will exceed \$142 million, as shown on Table 16. Given the needs of the Amended Project Area, and the lack of other ongoing funding sources, the Agency will need to look to tax increment financing as a major source of funding. Neither the City nor the private sector has historically been able to finance a redevelopment effort of this type.

As required by the CCRL, the Agency will continue to look to other funding sources to assist in the redevelopment effort. However, tax increment is needed to fill funding gaps between the costs identified and these other funding sources. In addition, most of the elements of the program of redevelopment have little or no alternative funding sources.

Other funding sources also have serious limitations. Grants from other levels of government are sporadic and difficult to obtain. Assessment districts can increase the costs for private development and further discourage blight remediation. Development impact fees, which will be used to offset a portion of the public improvement costs, can only be set at a level to cover the impacts that are created

by the development and cannot be used to raise additional funds to remove existing deficiencies in the Amended Project Area.

Tax increment revenues will also be generated in part by the activities proposed by the Agency. Tax increment provides a stable source of revenue that will grow as the Agency's redevelopment efforts begin to have an impact. In addition, such revenues can be leveraged in the form of tax allocation bonds and provide a large source of capital financing. For each of these reasons, tax increment financing continues to be included in the Amended Reinvestment Plan, including for the Added Territory.

TABLE 12
PROJECTS AND PROGRAMS
(000'S Omitted)

	Total Cost	Offsets To Cost	Net Project Costs	Existing Project Area	Added Territory
Downtown Revitalization Program					
Streetscape Improvements	4,800	0	4,800	4,800	0
Plaza del Rio	700	0	700	700	0
Del Rio Theatre	2,000	0	2,000	2,000	0
Special Events Funding	1,000	0	1,000	1,000	0
Façade Improvement Program	2,500	500	2,000	2,000	0
Total	11,000	500	10,500	10,500	0
Development Assistance					
Reinvestment Assistance	5,000	0	5,000	5,000	
Improvements Existing Buildings at Plant	9,900	0	9,900		9,900
Business Attraction & Retention	2,000	0	2,000	1,000	1,000
Total	16,900	0	16,900	6,000	10,900
Commercial Rehabilitation Program					
Low Interest Loans	2,000	1,000	1,000	500	500
Hazardous Materials Cleanup	7,000	0	7,000	3,500	3,500
Total	9,000	1,000	8,000	4,000	4,000
Public Improvements					
Street and Circulation Improvements	62,775	43,322	19,453	15,060	4,393
Water System Improvements	12,463	7,000	5,463	3,000	2,463
Sewer Improvements	15,623	6,300	9,323	7,700	1,623
Drainage Improvements	15,000	11,500	3,500	3,500	0
Public Facilities	42,000	30,600	11,400	11,400	0
Rail Improvement	1,800	0	1,800	0	1,800
Total	149,660	98,722	50,939	40,660	10,279
Affordable Housing Program					
Administrative Costs	40,192	0	40,192	26,568	13,624
TOTAL PROJECT COSTS			142,735	98,712	44,024

**TABLE 13
TAX INCREMENT PROJECTION (000'S OMITTED)**

Fiscal Year			(1) Escalated Real Property Value	(2) New Develop- ment	(3) Other Property	Total Value	Value Over Base Of 431,581	(4) Total Tax Increment	(5) Property Tax Admin Fees	(6) Housing Set Aside	(7) Statutory Payments	Discretionary	
												Tax Increment Revenue	Net Present Value @ ⁽⁷⁾ 5%
2008	-	2009	528,550	N/A	18,254	546,804	115,223	1,211	16	242	242	711	711
2009	-	2010	528,550	0	18,254	546,804	115,223	1,211	16	242	242	711	677
2010	-	2011	539,121	12,121	18,619	569,861	138,279	1,442	19	288	288	846	768
2011	-	2012	573,291	23,783	19,364	616,438	184,857	1,908	25	382	382	1,120	967
2012	-	2013	620,957	21,158	20,138	662,254	230,672	2,366	31	473	473	1,389	1,142
2013	-	2014	667,800	17,261	20,944	706,005	274,424	2,803	36	561	561	1,645	1,289
2014	-	2015	712,464	17,952	21,782	752,197	320,616	3,265	42	653	653	1,917	1,430
2015	-	2016	759,632	7,945	22,653	790,230	358,648	3,645	47	729	729	2,140	1,521
2016	-	2017	798,280	8,263	23,559	830,101	398,520	4,044	53	809	809	2,374	1,607
2017	-	2018	838,804	8,593	24,501	871,899	440,317	4,462	58	892	892	2,619	1,688
2018	-	2019	881,293	8,937	25,482	915,712	484,130	4,900	64	980	980	2,876	1,766
2019	-	2020	925,839	9,294	26,501	961,634	530,053	5,359	70	1,072	1,149	3,069	1,794
2020	-	2021	972,539	9,666	27,561	1,009,766	578,185	5,841	76	1,168	1,326	3,271	1,821
2021	-	2022	1,021,493	0	28,663	1,050,157	618,575	6,245	81	1,249	1,475	3,440	1,824
2022	-	2023	1,062,353	0	29,810	1,092,163	660,581	6,665	87	1,333	1,629	3,616	1,826
2023	-	2024	1,104,847	0	31,002	1,135,849	704,268	7,102	92	1,420	1,790	3,799	1,827
2024	-	2025	1,149,041	0	32,242	1,181,283	749,702	7,556	98	1,511	1,957	3,989	1,827
2025	-	2026	1,195,003	0	33,532	1,228,535	796,953	8,028	104	1,606	2,131	4,187	1,827
2026	-	2027	1,242,803	0	34,873	1,277,676	846,095	8,520	111	1,704	2,312	4,393	1,825
2027	-	2028	1,292,515	0	36,268	1,328,783	897,202	9,031	117	1,806	2,500	4,607	1,823
2028	-	2029	1,344,215	0	37,719	1,381,934	950,353	9,562	124	1,912	2,696	4,830	1,820
2029	-	2030	1,397,984	0	39,228	1,437,212	1,005,630	10,115	131	2,023	2,899	5,062	1,817
2030	-	2031	1,453,903	0	40,797	1,494,700	1,063,119	10,690	139	2,138	3,111	5,302	1,813
2031	-	2032	1,512,060	0	42,429	1,554,488	1,122,907	11,288	147	2,258	3,331	5,553	1,808
2032	-	2033	1,572,542	0	44,126	1,616,668	1,185,086	11,910	155	2,382	3,560	5,813	1,803
2033	-	2034	1,635,444	0	45,891	1,681,334	1,249,753	12,556	163	2,511	3,798	6,084	1,797
2034	-	2035	1,700,861	0	47,726	1,748,588	1,317,007	13,229	172	2,646	4,045	6,366	1,790
2035	-	2036	1,768,896	0	49,635	1,818,531	1,386,950	13,928	181	2,786	4,302	6,659	1,784
2036	-	2037	1,839,652	0	51,621	1,891,273	1,459,691	14,656	191	2,931	4,570	6,964	1,776
2037	-	2038	1,913,238	0	53,686	1,966,923	1,535,342	15,412	200	3,082	4,849	7,281	1,769
2038	-	2039	1,989,767	0	55,833	2,045,600	1,614,019	16,199	211	3,240	5,138	7,611	1,761
2039	-	2040	2,127,424	0	58,066	2,127,424	1,695,843	17,017	220	3,392	4,577	8,828	1,945
2040	-	2041	2,212,521	0	60,389	2,212,521	1,780,940	17,868	232	3,562	4,916	9,159	1,922
2041	-	2042	2,301,022	0	62,805	2,301,022	1,869,441	18,753	243	3,739	5,268	9,503	1,899
2042	-	2043	2,393,063	0	65,317	2,393,063	1,961,482	19,674	255	3,923	5,634	9,861	1,877
2043	-	2044	2,488,786	0	67,930	2,488,786	2,057,204	20,631	267	4,114	6,015	10,234	1,855
2044	-	2045	2,588,337	0	70,647	2,588,337	2,156,756	21,626	280	4,314	6,412	10,621	1,834
2045	-	2046	2,691,871	0	73,473	2,691,871	2,260,289	22,662	294	4,521	6,824	11,024	1,813
2046	-	2047	2,799,545	0	76,412	2,799,545	2,367,964	23,739	308	4,736	7,252	11,442	1,792
2047	-	2048	2,911,527	0	79,468	2,911,527	2,479,946	24,858	322	4,960	7,698	11,878	1,772
2048	-	2049	3,027,988	0	82,647	3,027,988	2,596,407	26,023	338	5,193	8,162	12,331	1,752
2049	-	2050	3,149,108	0	85,953	3,149,108	2,717,527	27,234	353	5,435	8,644	12,802	1,732
Cumulative Totals								475,237	6,170	94,918	136,221	237,929	69,893

(1) Future year values held constant in 2009-10, increased at 2 percent in 2010-11 and by 4 percent per year thereafter

(2) Based on development projections as described in the Preliminary Report.

(3) Includes the value of secured and unsecured personal property, and state-assessed railroad and non-unitary property.

(4) Based on the application of the 1 percent tax rate to incremental value.

(5) Estimated based on 1.30 percent of tax increment.

(6) Calculated at 20 percent of tax increment.

(7) Statutory payments per the provisions of AB 1290.

**TABLE 14
PROJECTION OF INCREMENTAL TAX REVENUE – ADDED TERRITORY (000'S Omitted)**

Fiscal Year	Real Property ⁽¹⁾	New Development ⁽²⁾	Other Property ⁽³⁾	Total Value	Value Over Base Of \$11,856	Tax Increment	Property Tax Admin. Fees ⁽⁵⁾	Housing Set Aside	Statutory Payments ⁽⁶⁾	Discretionary	
										Tax Increment Revenue	Net Present Value @ 5% ⁽⁷⁾
2008 - 2009	\$11,687	N/A	\$169	\$11,856	\$0	N/A	N/A	N/A	N/A	N/A	N/A
2009 - 2010	12,155	0	176	12,331	474	N/A	N/A	N/A	N/A	N/A	N/A
2010 - 2011	12,641	0	183	12,824	967	10	0	2	2	6	5
2011 - 2012	13,147	19,103	190	32,440	20,584	206	3	41	34	128	110
2012 - 2013	33,540	19,868	198	53,606	41,749	417	5	83	69	259	213
2013 - 2014	55,544	20,662	206	76,412	64,556	646	8	129	107	401	314
2014 - 2015	79,255	21,489	214	100,958	89,101	891	12	178	148	553	413
2015 - 2016	104,773	22,348	223	127,344	115,488	1,155	15	231	192	717	510
2016 - 2017	132,206	23,242	232	155,680	143,824	1,438	19	288	239	893	605
2017 - 2018	161,667	24,172	241	186,080	174,223	1,742	23	348	289	1,082	698
2018 - 2019	193,272	25,139	250	218,661	206,805	2,068	27	414	343	1,285	789
2019 - 2020	227,148	26,144	260	253,552	241,696	2,417	31	483	401	1,501	878
2020 - 2021	263,424	27,190	271	290,885	279,028	2,790	36	558	463	1,733	965
2021 - 2022	302,239	28,278	282	330,799	318,942	3,189	41	638	596	1,914	1,015
2022 - 2023	343,737	29,409	293	373,439	361,582	3,616	47	723	738	2,107	1,064
2023 - 2024	388,072	30,585	305	418,962	407,105	4,071	53	814	890	2,314	1,113
2024 - 2025	435,403	31,809	317	467,529	455,672	4,557	59	911	1,053	2,534	1,161
2025 - 2026	485,901	33,081	330	519,311	507,455	5,075	66	1,015	1,225	2,768	1,208
2026 - 2027	539,741	0	343	540,084	528,227	5,282	69	1,056	1,295	2,862	1,189
2027 - 2028	561,331	0	356	561,687	549,830	5,498	71	1,100	1,367	2,960	1,171
2028 - 2029	583,784	0	371	584,155	572,298	5,723	74	1,145	1,442	3,062	1,154
2029 - 2030	607,135	0	385	607,520	595,664	5,957	77	1,191	1,520	3,168	1,137
2030 - 2031	631,420	0	401	631,821	619,965	6,200	81	1,240	1,601	3,278	1,121
2031 - 2032	656,677	0	417	657,099	645,238	6,452	84	1,290	1,685	3,393	1,105
2032 - 2033	682,944	0	434	683,378	671,522	6,715	87	1,343	1,773	3,512	1,089
2033 - 2034	710,262	0	451	710,713	698,857	6,989	91	1,398	1,864	3,636	1,074
2034 - 2035	738,673	0	469	739,142	727,285	7,273	95	1,455	1,959	3,764	1,059
2035 - 2036	768,220	0	488	768,708	756,851	7,569	98	1,514	2,058	3,898	1,044
2036 - 2037	798,948	0	507	799,455	787,599	7,876	102	1,575	2,161	4,038	1,030
2037 - 2038	830,906	0	528	831,434	819,577	8,196	107	1,639	2,267	4,183	1,016
2038 - 2039	864,143	0	549	864,692	852,835	8,528	111	1,706	2,379	4,333	1,003
2039 - 2040	898,708	0	571	899,279	887,422	8,874	115	1,775	2,320	4,665	1,028
2040 - 2041	934,657	0	593	935,250	923,394	9,234	120	1,847	2,429	4,838	1,015
2041 - 2042	972,043	0	617	972,660	960,804	9,608	125	1,922	2,578	4,983	996
2042 - 2043	1,010,925	0	642	1,011,567	999,710	9,997	130	1,999	2,733	5,135	977
2043 - 2044	1,051,362	0	668	1,052,030	1,040,171	10,402	135	2,080	2,894	5,292	959
2044 - 2045	1,093,416	0	694	1,094,110	1,082,251	10,823	141	2,165	3,062	5,456	942
2045 - 2046	1,137,153	0	722	1,137,875	1,126,011	11,260	146	2,252	3,236	5,626	925
2046 - 2047	1,182,639	0	751	1,183,390	1,171,531	11,715	152	2,343	3,417	5,803	909
2047 - 2048	1,229,944	0	781	1,230,725	1,218,861	12,189	158	2,438	3,605	5,987	893
2048 - 2049	1,279,142	0	812	1,279,954	1,268,091	12,681	165	2,536	3,801	6,179	878
2049 - 2050	1,330,308	0	845	1,331,153	1,319,291	13,193	172	2,639	4,005	6,378	863
2050 - 2051	1,383,520	0	878	1,384,398	1,372,541	13,725	178	2,745	4,217	6,585	848
2051 - 2052	1,438,861	0	914	1,439,775	1,427,911	14,279	186	2,856	4,438	6,800	834
2052 - 2053	1,496,415	0	950	1,497,365	1,485,501	14,855	193	2,971	4,667	7,024	821
Cumulative Total						285,381	3,710	57,076	77,563	147,032	38,141

(1) Prior Year Real Property increased by 4 percent per year.

(2) Based on development projections as described in the Preliminary Report.

(3) Includes the value of secured and unsecured personal property, and state-assessed railroad and non-unitary property.

(4) Based on the application of 1% tax rate to incremental taxable value.

(5) Estimated based on 1.30 percent of tax increment.

(6) Statutory payments per the provisions of AB 1290.

TABLE 15 ESTIMATED BONDED INDEBTEDNESS LIMIT <i>(000'S Omitted)</i>	
Program Costs	\$142,735
Plus:Contingencies @ 30%	42,821
Total Estimated Project Costs	<u>\$185,556</u>
Plus: Escalation of Costs (1)	37,111
Plus: Finance Costs (2)	33,400
Bonded Indebtedness Limit (Rounded)	<u>\$260,000</u>
<p>(1) Escalation of costs in order to take into account inflation impacts on Project costs. Amount shown has been calculated at 20 percent of costs.</p>	
<p>(2) Financing costs are the costs of issuance included as 15% of Project Costs (with escalation), assuming deposits to reserve fund, underwriters discount and miscellaneous costs associated with the issuance of bonds.</p>	

TABLE 16
CASH FLOW ANALYSIS - AMENDED PROJECT AREA
(000'S Omitted)

	0	1	2	3	4	5	6	7	8	9	10
	2008-	2009-	2010-	2011-	2012-	2013-	2014-	2015-	2016-	2017-	2018-
	2009-	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Resources											
Beginning Fund Balance (1)	\$5,842	\$1,324	\$1,279	\$1,159	\$1,210	\$1,595	\$11,443	\$6,568	\$1,676	\$71	\$1,846
Total Tax Increment Revenues	1,211	1,211	1,451	2,113	2,783	3,449	4,156	4,800	5,482	6,204	6,968
Bond Proceeds	0	0	0	0	0	10,800	0	0	0	0	0
Investment Earnings - Bond Reserves (2)	33	33	33	33	33	33	33	33	33	33	33
Investment Earnings - Fund Balance (2)	234	53	51	46	48	64	458	263	67	3	74
Other Revenue Sources (3)	608	0	0	0	0	0	0	0	0	0	0
Total Resources	\$7,927	\$2,621	\$2,815	\$3,351	\$4,074	\$15,940	\$16,090	\$11,664	\$7,258	\$6,311	\$8,921
Expenditures											
Property Tax Admin Fees	16	16	19	27	36	45	54	62	71	81	91
AB 1290 Pass Through	242	242	290	416	542	668	801	921	1,047	1,181	1,323
Debt Service - 2007 Bonds	0	591	817	812	814	813	812	811	814	811	813
Downtown Revitalization Program	5,700	0	0	164	169	174	179	184	190	196	202
Development Assistance Program	0	0	0	55	56	1,797	4,239	3,751	1,330	65	1,411
Commercial Rehab Program	0	0	0	0	56	58	60	61	63	65	67
Public Improvements	0	0	0	0	0	0	2,388	3,075	2,407	652	3,091
ED Loan Repayment	0	100	100	100	100	100	0	0	0	0	0
Housing Set-Aside	242	242	290	423	557	690	831	960	1,096	1,241	1,394
Administrative Expenses (3)	403	150	140	145	149	153	158	163	168	173	178
Total Expenditures	\$6,604	\$1,342	\$1,656	\$2,141	\$2,479	\$4,497	\$9,522	\$9,988	\$7,187	\$4,465	\$8,569
Ending Fund Balance	\$1,324	\$1,279	\$1,159	\$1,210	\$1,595	\$11,443	\$6,568	\$1,676	\$71	\$1,846	\$352

(1) From Agency 2008-09 budget. Includes \$4.8 million in bond proceeds.

(2) Estimated at 4 percent interest rate.

(3) From Agency 2008-09 budget. Other revenues include grant funding. For years beyond 2008-09, the numbers are based on staff estimates.

TABLE 17	
ECONOMIC FEASIBILITY ANALYSIS - NPV (1)	
<i>(000'S Omitted)</i>	
Resources	
Discretionary Tax Increment	108,034
Housing Set-aside	40,423
Total Resources	148,457
Program Costs	
Downtown Revitalization	10,500
Development Assistance	16,900
Commercial Rehabilitation Program	8,000
Public Improvements	50,939
Affordable Housing Program	40,192
Administrative Costs	16,205
Total Costs	142,735
Ending Balance	5,721
<small>(1) Net present value calculated at 5 percent discount rate.</small>	

8.10 AMENDMENT TO THE CURRENT IMPLEMENTATION PLAN

CCRL Section 33451.5(c)(7) requires the Agency to include an amendment to the current Implementation Plan that includes, but is not limited to, the Agency's housing responsibilities pursuant to CCRL Section 33490.

Because the Added Territory is contiguous to the Existing Project Area and because the Implementation Plan adopted for the Existing Project Area is still valid, it is a simple process to amend the Implementation Plan to include the Added Territory. The same goals and objectives will apply. These include:

Vision Statement for the Agency

Riverbank is a well-established community with citizens, neighborhoods, and businesses sharing a sense of local identity and purpose. Riverbank will maintain its unique sense of place and economic vitality while preserving its history, diversity, natural beauty, and “small town” character. Reinvestment efforts by the Agency will focus on the elimination or alleviation of blight, but the Agency shall not have the power of eminent domain for this Project. In other words, all improvement activities and programs of the Project will be available to the public on a voluntary basis.

Urban Environment

Overriding Goal: Help make Riverbank a positively distinctive community that is attractive as a living, working and shopping environment. The following objectives are intended to help implement the Overriding Urban Environment Goal:

- Encourage high-quality development according to the City's General Plan, any applicable specific plans, and the City zoning ordinance.
- Help preserve and enhance existing residential neighborhoods that are compatible with and conforming to planned and surrounding land uses, through landscaping, street, and infrastructure improvements.
- Upgrade the physical appearance of properties in the proposed Project Area, including the public rights-of-way.
- Rehabilitate deteriorated residential, commercial, and industrial structures to eliminate safety deficiencies and to extend the useful lives of these structures.
- Reduce or eliminate the negative impacts related to land uses that are incompatible with and non-conforming to planned and surrounding land uses in the Project Area.
- Buffer residential neighborhoods from noise, odors, and vibrations from adjacent non-residential land uses.
- Clean-up properties that are or have been exposed to hazardous materials.

Economic Development

Overriding Goal: Riverbank should have pleasant and successful commercial, office and manufacturing areas that serve local residents, employees, and visitors. Revitalizing Riverbank's traditional downtown area is of primary importance for the economic health of the entire City.

The following objectives are intended to help implement the Overriding Economic Development Goal:

- Encourage investment in the proposed Project Area by the private sector.
- Assist economically depressed areas and reverse stagnant or declining property investment trends.
- Develop and implement a reinvestment and revitalization program for the traditional downtown area.
- Promote the development of new and diverse employment opportunities.
- Enhance and expand shopping facilities in the Project Area by encouraging the development of new commercial uses and rehabilitation of existing commercial uses in conformance with the General Plan and the City zoning ordinance.
- Promote the improvement and internal integration of commercial and industrial areas to make them more attractive and efficient while incorporating the Urban Environment Overriding Goal.

- Promote the expansion of the Project Area's industrial and commercial bases and local employment opportunities to provide jobs to unemployed and underemployed workers in the City.
- Consolidate parcels as needed to induce new or expanded, internally integrated, business development in the proposed Project Area.
- Remove economic impediments to land assembly and in-fill development in areas that are not properly subdivided for development or redevelopment.
- Provide relocation assistance to businesses and residents displaced due to economic development activities.

Housing Affordability and Quality

Overriding Goal: Establish Riverbank as a community with a quality housing stock, which is affordable to a wide range of households. The following objectives are intended to help implement the Overriding Housing Affordability and Quality Goal:

- Protect the health and general welfare of the Project Area's many low- and moderate-income residents by utilizing not less than 20% of the tax increment revenues from the Project Area to improve, increase, and preserve the supply of low- and moderate-income housing.
- Provide replacement housing as required by law when dwellings housing low- or moderate-income persons or families are lost from the low- or moderate-income housing market as a result of Agency activities.
- Provide relocation assistance to households displaced by direct Agency activities.

Public Infrastructure

Overriding Goal: Improve Riverbank's public infrastructure system to the greatest possible extent, and to help ensure the public health, safety, and welfare. The following objectives are intended to help implement the Overriding Public Infrastructure Goal:

- Provide a broad range of public service infrastructure improvements to induce private investment in the proposed Project Area. Such improvements could include, but are not limited to, the construction or reconstruction of roads, streets, curbs and gutters, sidewalks; the upgrading of street side landscaping; street widening; the construction and reconstruction of water storage and distribution facilities; the construction and reconstruction of sewerage systems; and the development of drainage and flood control facilities.
- Provide new or improved community facilities such as fire stations, schools, park and recreational facilities, and the expansion of public health and social service facilities, where appropriate, to enhance the public health, safety, and welfare.

Plan Management

Overriding Goal: Ensure that the Reinvestment Plan for the Riverbank Reinvestment Project is managed in the most efficient, effective, and economical manner possible. The following objectives are intended to help implement the Overriding Plan Management Goal:

- Encourage the cooperation and participation of Project Area property owners, public agencies, and community organizations in the elimination of blighting conditions and the promotion of new or improved development in all portions of the proposed Project Area.
- Provide a procedural and financial mechanism by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization, and enhancement of the community.
- Eliminate or alleviate conditions of blight without the power of eminent domain for the Reinvestment Plan; make all improvement activities and programs available to the public on a voluntary basis.

As for housing, the Added Territory includes 53.1 acres of land designated by the General Plan for Medium Density Residential, which has a maximum density of 16 dwelling units per acre. This means that 850 dwelling units could be built in the Added Territory. Assuming that one-quarter of those units were built in the next five years, the Agency would experience an inclusionary obligation of 32 affordable units (15% of 213) during the Implementation Plan period. Overall, the number of affordable units would be 128.

The Agency's ability to achieve production of these affordable, income-restricted units will depend upon a number of factors including the amount of tax increment and other funds it receives, and the cost of housing in future years.

Compliance with CCRL inclusionary housing obligations should be monitored on a yearly basis by the Agency to ensure that the expenditures and programs projected to be spent and implemented over the planning cycle of the Implementation Plan are continued. This will require that Agency, planning and building department staff all work together to ensure that Agency mandates are met.

8.11 NEIGHBORHOOD IMPACT REPORT

A Neighborhood Impact Report is required to describe in detail the impact upon relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood, as well as various housing issues.

8.11.1 Relocation

In any redevelopment project, an important potential impact on area occupants is the displacement and dislocation of residents during implementation activities. However, the proposed Amended Reinvestment Plan does not allow the Agency to purchase residential property through eminent domain. Therefore, the potential to displace residents through Agency activities would be only be as a result of those residents willing to be involved in such an action.

While housing rehabilitation will be emphasized by the Agency, it is recognized that certain buildings may be deteriorated to the point where rehabilitation may not be feasible. In such cases, the Agency may seek to purchase the building without the

use of eminent domain and provide for the construction of a new replacement unit that is decent, safe, and sanitary.

The Agency has adopted a plan and method of relocation for the Existing Project Area, and it is anticipated that the same will be adopted for the Added Territory. The Agency is required to, and fully intends to, comply with all federal and state laws and regulations regarding the relocation of persons and families as required by Agency actions.

8.11.2 Traffic Circulation

The Agency has proposed a public improvement program that includes nearly \$4,000,000 in road and circulation improvements in the Added Territory (not including the Plant). These improvements are expected to assist traffic circulation by providing new streets, signals, lighting, and curbs, gutters, and sidewalks where needed. Overall, the planned upgrades will improve traffic circulation in the Added Territory and surrounding area.

8.11.3 Environmental Quality

The impact of the Added Territory on the environment is discussed in depth in the Environmental Impact Report prepared in connection with this proposed Amendment. The adoption of the Amended Reinvestment Plan is expected to have, overall, a positive impact on the environment by eliminating blight.

All development or Agency activity will be reviewed by the City for design compatibility with adjacent land uses and impact upon adjacent properties. In addition, a more-specific environmental analysis of future major projects will take place as specified projects are proposed for implementation and as necessary and required by CEQA.

8.11.4 Availability of Community Facilities and Services

The Agency is authorized to install and construct, or cause to be installed and constructed, a wide range of public improvements and facilities. These public improvements will directly benefit the Added Territory and its immediately surrounding neighborhoods by enhancing public health and safety, and by increasing the levels of local services.

While community facilities will be improved as a result of Agency activities, public services should also be improved by the increased property tax base created in part by redevelopment activities. Over the long term, these benefits will accrue to the City and local taxing agencies.

8.11.5 Effect on School Population and Quality of Education

Through redevelopment, local schools will receive funds for new facility construction that they might not otherwise receive. These funds will allow local school improvements to keep pace with increased dwelling units planned for the Added Territory. School impact issues are also addressed in the Environmental Impact Report.

8.11.6 Property Assessments and Taxes

The total assessed value of the Added Territory and the Existing Project Area is expected to increase due to the construction of new residential uses, the rehabilitation of existing residential uses, and through development of new employment-generating land uses in the Added Territory.

Revitalization in the Added Territory may also have a positive effect on the market value of properties in adjacent neighborhoods, resulting in increase in assessed valuation in these areas. Property tax rates, which are governed by Article XIII A of the State Constitution, will not be affected by redevelopment activities.

8.11.7 Other Matters Affecting the Physical and Social Quality of the Neighborhood

The successful redevelopment of the Added Territory by the Agency will result generally in the physical upgrading of public improvements, an improvement in the aesthetic environment, an increase in job opportunities, an improvement in community facilities, improved housing conditions, long-term increases in the City's economic health, and a more efficient utilization of land.

8.11.8 The Number of Dwelling Units Housing Persons and Families of Low- or Moderate-Income Expected to be Destroyed or Removed from the Low- and Moderate-Income Housing Market through Implementation of the Amendment

The number of dwelling units housing persons and families of low- or moderate-income expected to be removed from the low- and moderate-income housing market for the duration of the Amended Redevelopment Plan by the Agency is zero. However, dwelling units may be removed if the property owner so chooses.

8.11.9 Number of Persons and Families of Low- or Moderate-Income Expected to be Displaced by the Project

The number of persons of low- and moderate-income that are anticipated to be displaced over the life of the Amended Reinvestment Plan by the Agency is zero, because there will be no eminent domain authority and there are no projects or programs proposed that will cause displacement.

8.11.10 General Location of Housing to be Rehabilitated, Developed, or Constructed

Dwelling units to be rehabilitated, developed, or constructed are located throughout the Added Territory. The Agency will give primary consideration to specific projects which will serve to improve and preserve the community's supply of low- and moderate-income housing.

Identification of specific residential units to be rehabilitated and specific development or construction sites will be based upon site availability and user needs. Development activities will be affected by market demand, cost and availability of funds.

8.11.11 *The Number of Dwelling Units Housing Persons and Families of Low- or Moderate-Income Planned for Construction or Rehabilitation, Other than Replacement Housing*

The Amended Reinvestment Plan will be in conformance with the City's General Plan, which would permit a maximum of 850 new residential units in the Added Territory. In accordance with the CCRL, at least 15% (or 128) of these new units will be made affordable to low- and moderate-income persons or families over the life of the Reinvestment Plan.

The Agency will comply with CCRL Section 33413 and other applicable statutes.

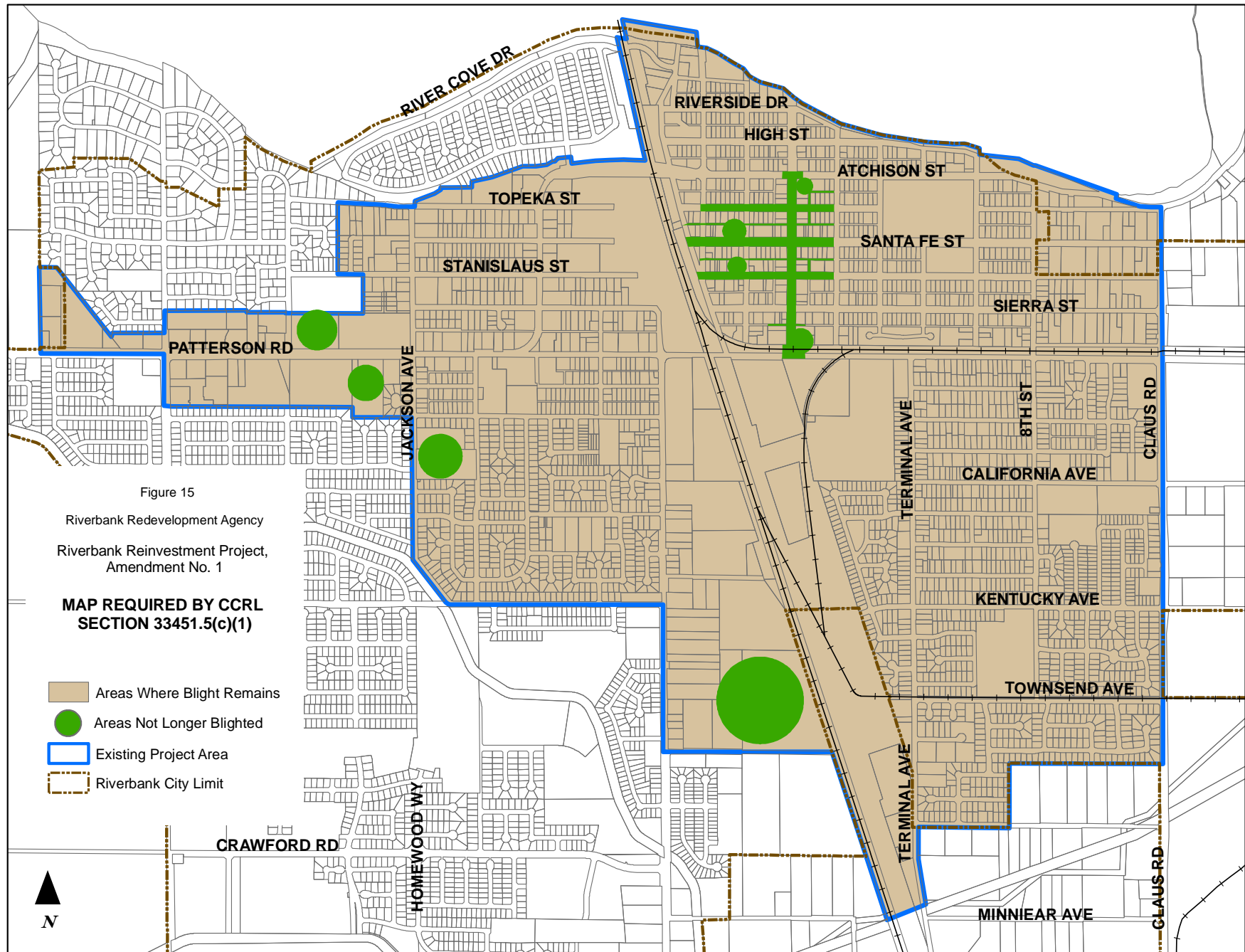
8.11.12 *Projected Means of Financing Proposed Dwelling Units for Persons and Families for Low- and Moderate-Income Housing*

Depending on the availability of various programs, low- and moderate-income housing programs will be undertaken using the Agency's 20% housing set-aside, Community Development Block Grant funds, or through the use of tax exempt financing.

8.11.13 *Projected Timetable for Meeting Rehabilitation and Replacement Housing Objectives*

There are no plans at present for relocation, rehabilitation, and replacement housing, thus there is no time table for providing a projection. However, such activities, particularly rehabilitation, are expected to begin as soon as funds are available. As with other issues noted above, all requirements of the CCRL will be followed.

All replacement housing obligations will be met as rapidly as is feasible, and in any event, by not later than four (4) years following the destruction or removal of dwelling units housing persons or families of low- and moderate-income from the low- and moderate-income housing market as part of the Amended Reinvestment Plan.



APPENDICES



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APPENDIX A
METHODOLOGY HIERARCHY



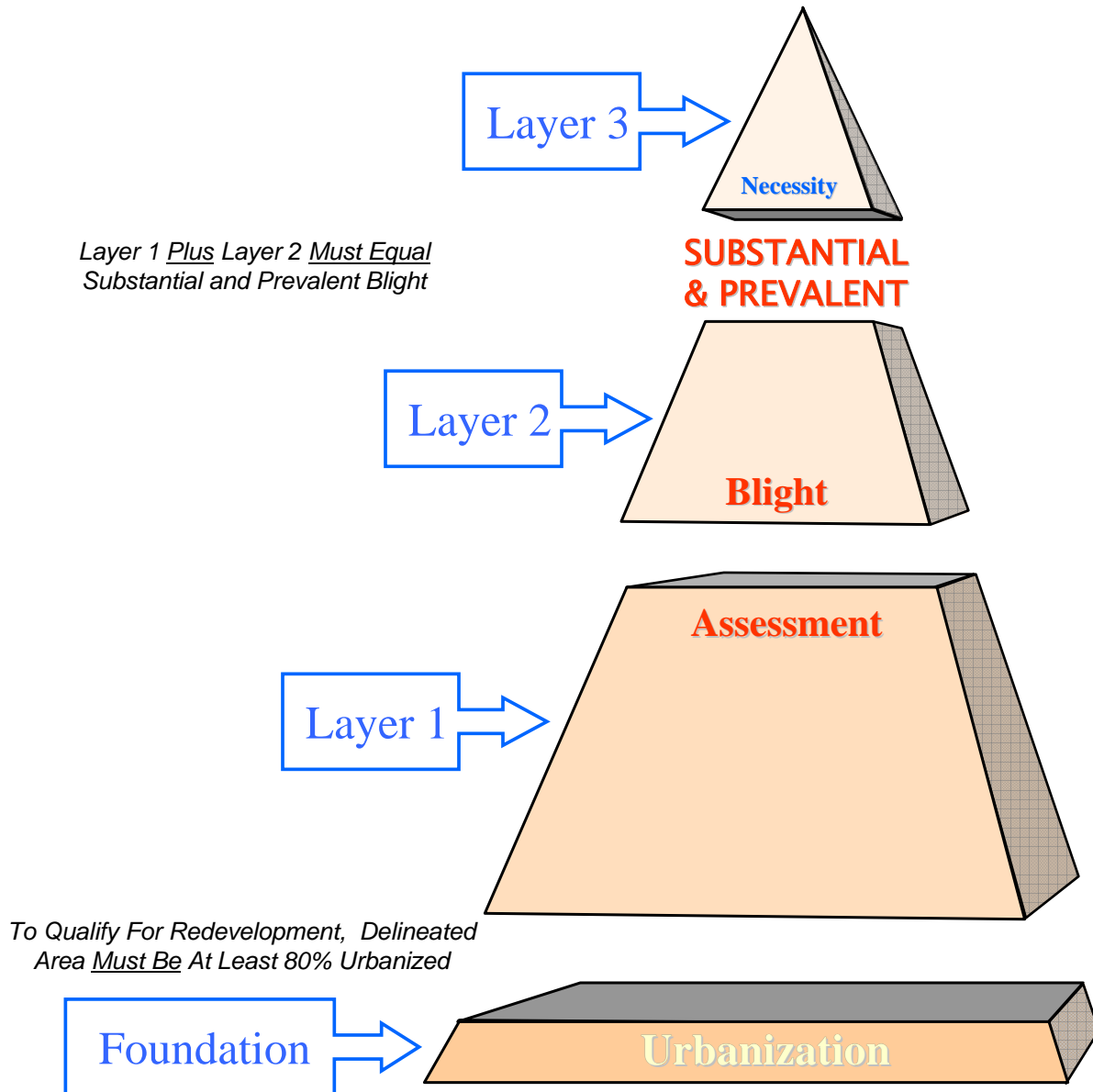
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METHODOLOGY HIERARCHY

PROJECT AREA DELINEATION METHODOLOGY:

Identification and assessment of degree of urbanization, blight indicators and minimum standard thresholds





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APPENDIX B
BLIGHT INDICATORS

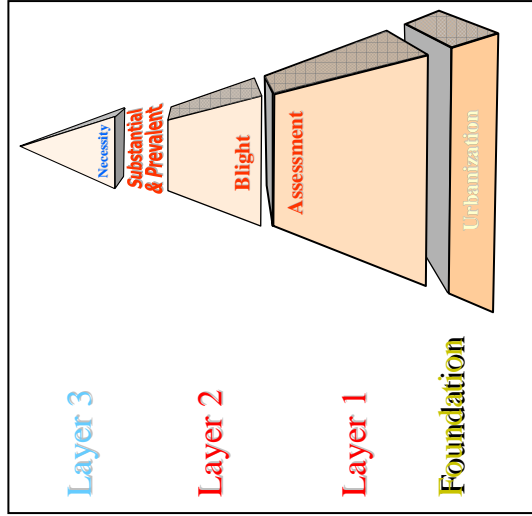


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Project Area Delineation Approach

*Identification and Assessment of
Degree of Urbanization,
Blight Indicators and Minimum
Standard Thresholds*



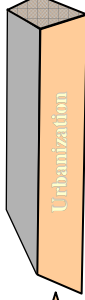
Prepared by
URBAN FUTURES, INC.
the Planning Group
Redevelopment ~ Environmental ~ Land Use Planning
Offices Located at
3111 N. Tustin Street, Suite 230
Orange, CA 92665



I. Urbanization Analysis

Foundation

(Parcel specific analyses of land use and assessor data, and review of Sanborn maps and testimonials)

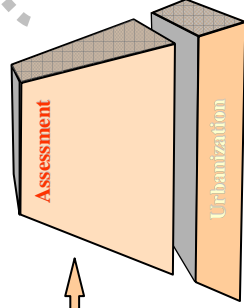


On a parcel-by-parcel basis, document existing land uses in the study area for project qualification. To qualify for redevelopment, the delineated area *must* be at least 80% urbanized.

IIa. Primary Blight Discovery & Documentation

Layer 1

(Parcel specific analysis of blight indicators (weighted))



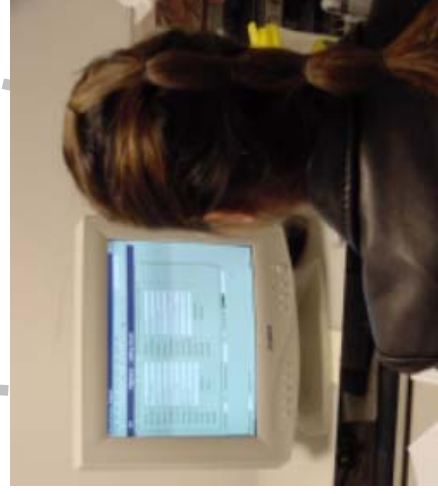
1. PARCEL LEVEL SURVEY



Field Team identifies and records on field notes all applicable "Blight Indicators" for each parcel. Documented conditions must meet or exceed conditions contained in the "minimum standard thresholds" catalog used as a reference by the Field Team. Consistent with California Redevelopment Law, data are collected on various economic and physical conditions determined to be "conditions that cause blight."

3. DATA SCORING

2. DATA INPUT



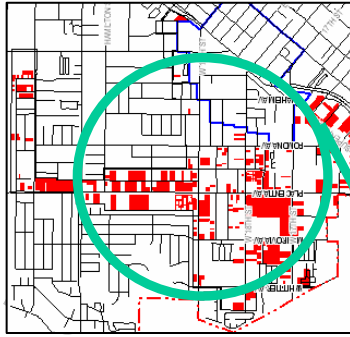
Field notes are input into spreadsheets and onto maps, as appropriate.

4. SURVEY ASSESSMENT REPORT

1	APRIL	MT	LOC	LA	ORP	OS	OKM	DAV	P	PRO	BLA
782	424	052	16	0	0	0	0	0	0	0	0
783	424	053	17	0	0	0	0	0	0	0	0
784	424	054	18	0	0	0	0	0	0	0	0
785	424	055	19	0	0	0	0	0	0	0	0
786	424	056	20	0	0	0	0	0	0	0	0
787	424	057	21	0	0	0	0	0	0	0	0
788	424	058	22	0	0	0	0	0	0	0	0
789	424	059	23	0	0	0	0	0	0	0	0
790	424	060	24	0	0	0	0	0	0	0	0
791	424	061	25	0	0	0	0	0	0	0	0
792	424	062	26	0	0	0	0	0	0	0	0
793	424	063	27	0	0	0	0	0	0	0	0
794	424	064	28	0	0	0	0	0	0	0	0
795	424	065	29	0	0	0	0	0	0	0	0
796	424	066	30	0	0	0	0	0	0	0	0
797	424	067	31	0	0	0	0	0	0	0	0
798	424	068	32	0	0	0	0	0	0	0	0
799	424	069	33	0	0	0	0	0	0	0	0
800	424	070	34	0	0	0	0	0	0	0	0
801	424	071	35	0	0	0	0	0	0	0	0
802	424	072	36	0	0	0	0	0	0	0	0
803	424	073	37	0	0	0	0	0	0	0	0
804	424	074	38	0	0	0	0	0	0	0	0
805	424	075	39	0	0	0	0	0	0	0	0
806	424	076	40	0	0	0	0	0	0	0	0
807	424	077	41	0	0	0	0	0	0	0	0
808	424	078	42	0	0	0	0	0	0	0	0
809	424	079	43	0	0	0	0	0	0	0	0
810	424	080	44	0	0	0	0	0	0	0	0
811	424	081	45	0	0	0	0	0	0	0	0
812	424	082	46	0	0	0	0	0	0	0	0
813	424	083	47	0	0	0	0	0	0	0	0
814	424	084	48	0	0	0	0	0	0	0	0
815	424	085	49	0	0	0	0	0	0	0	0
816	424	086	50	0	0	0	0	0	0	0	0
817	424	087	51	0	0	0	0	0	0	0	0
818	424	088	52	0	0	0	0	0	0	0	0
819	424	089	53	0	0	0	0	0	0	0	0
820	424	090	54	0	0	0	0	0	0	0	0
821	424	091	55	0	0	0	0	0	0	0	0
822	424	092	56	0	0	0	0	0	0	0	0
823	424	093	57	0	0	0	0	0	0	0	0
824	424	094	58	0	0	0	0	0	0	0	0
825	424	095	59	0	0	0	0	0	0	0	0
826	424	096	60	0	0	0	0	0	0	0	0
827	424	097	61	0	0	0	0	0	0	0	0
828	424	098	62	0	0	0	0	0	0	0	0
829	424	099	63	0	0	0	0	0	0	0	0
830	424	100	64	0	0	0	0	0	0	0	0

Each Blight Indicator is assigned a value between 2 and 20, with each successively higher score indicating a more significant condition of blight. Total per-parcel-score is derived from the sum of values assigned to Blight Indicator(s) for each parcel.

5. MAP TRANSLATION AND INDICATOR THRESHOLD MAP

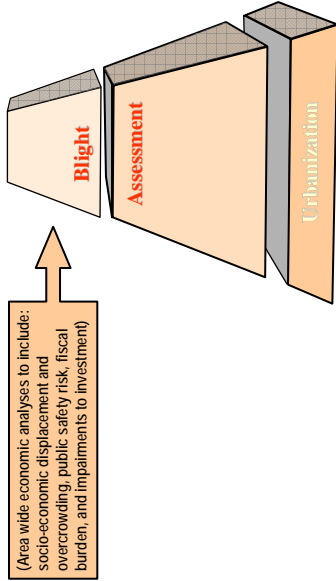


WEIGHTED BLIGHT INDICATORS
 Under 19
 20 and above

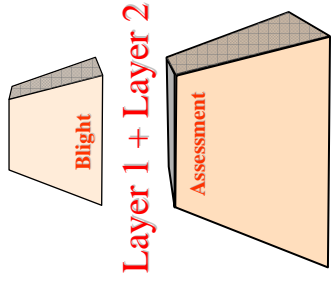
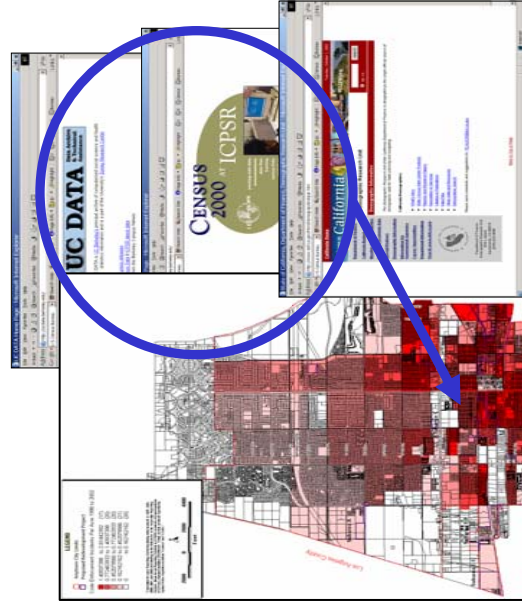
For a parcel to be considered as exhibiting substantial "conditions of blight," it must accumulate at least 20 Blight Indicator points and must also have at least one Blight Indicator condition with a rating of no less than 5. For an area to be considered as exhibiting "prevalent conditions of blight," it must have a reasonably sufficient number of parcels that exhibit substantial conditions of blight so that cumulatively, they can be found to be a burden on the community. The ultimate geographic configuration of an area is directly related to the degree of parcel-specific conditions of blight and other criteria discussed in this brochure.

IIIb. Existing Records & Database Research

Layer 2



Review and analyze available database resources, including the U.S. Census and other public records related to: demographic and real estate trends; police and fire statistics; county health; code enforcement; and public works records. When combined with Layer 1 data, these Layer 2 data are important in assisting in or confirming the determination that blight is both substantial and prevalent.

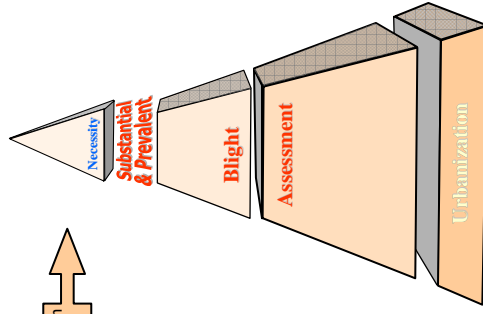


Layer 1 plus Layer 2 must provide evidence sufficient for the legislative body to find the area is blighted and the blight is both substantial and prevalent.

III. Necessary For Effective Redevelopment

Layer 3

(Planning analyses to include General Plan review, all to ensure integrated planning)



The California Redevelopment Law permits inclusion of non-blighted parcels that are determined, pursuant to specific conditions, to be necessary for effective redevelopment (e.g., modern planning, affordable housing, replacement housing, etc.).

It is important to note that Project Area selection is the ultimate responsibility of the City Council, which will base its determination on data and analyses contained in the official record of proceedings.

BLIGHT INDICATOR CODES

#	CODE	BLIGHT INDICATOR (pornography, liquor, bars)	CCRL § 33031 (b)(6)	SUBHEADING Adult Business	DESCRIPTION Reference photograph — None necessary.	VALUES 2, C*	EXPLANATION OF RATINGS ASSUMPTIONS	REFERENCE SOURCES
1	AB	Adult Business (pornography, liquor, bars)	(b)(6)	Adult Business	Reference photograph — None necessary.	2, C*	Adult businesses may attract criminal behavior into the neighborhood. There has been much literature on the negative effects of adult businesses, including linking them to rapes & burglaries. Liquor stores & bars provide irresponsible drinkers with the opportunity for anti-social behavior & driving under the influence of alcohol. The cumulative effects of numerous such businesses becomes the blighting issue.	CA Vehicle Code 23152(a),(b), 23153 CA Penal Code 191.5, 192
2	AEH	Apparent Electrical Hazards	(a)(1) (a)(2)	Deterioration	Includes any visible electrical wires, wire connections, electrical boxes, that are loose, disconnected, dangling, etc., and/or electrical wiring types that are outdated & would not be permitted under current codes, e.g., knob & tube wiring systems.	5	Faulty electrical wires lead to increased risks for fire & electrocution. While some fires are localized, other fires, especially when coupled with poor maintenance of the structures, may be fatal. The apparent electrical hazards have not been verified, & therefore have not been assigned an even higher weighting factor.	Uniform Housing Code 701.2 CA Electric Code article 100A "Exposed", 501-4, 502-4 503-3, 505-15, Art 500 and 511
3	ANPA	Addition Not Permitted (Occupied)	(a)(1) (a)(2)	Code Violations, Defective Const.	Includes construction that appears to be affected by poor quality workmanship and/or faulty materials, suspect construction techniques, or that appears to violate local building codes.	10	Unpermitted room additions become a health and safety issue to the extent that such additions are not made to code. In the case that rooms are poorly constructed and violate building codes, the health and safety of occupants are of principal concern.	Local Municipal Code, as applicable California Building Code 106.1- 106.2
4	ANPB	Addition Not Permitted (uninhabited)	(a)(1) (a)(2)	Code Violations	Includes the same issues as identified in "ANPA" except for appurtenant structures such as patio covers, tool sheds, lean-tos, open porches, stoops, & other types of "add-ons" intended as "pass through" areas.	5	The same issues as identified in "ANPA" except that because these spaces are not used for sleeping or other types of habitation, the value is half that assigned to "ANPA".	California Building Code 106.1- 106.2 and 1025
5	AS	Appurtenant Deteriorated Structures	(a)(2)	Deteriorated	Includes appurtenant structures which may have been permitted but are currently deteriorated or dilapidated.	2	These structures are uninhabited, thereby mitigating their effect on health & safety. Their presence does, however, represent an economic disincentive.	California Building Code 102
6	BAR	Bars on Doors/Windows	(b)(7)	Crime	Includes bars on windows &/or doors.	2, C*	Bars on doors & windows is a crime indicator. However, individual instances do not necessarily show actual crime rather than personal preference (see "G").	Potential Fire Escape Hazard California Building Code 310.4
7	BO	Boarded Occupied	(a)(1)	Deteriorated	Permanent boarding of one or more windows or doors.	5	This condition causes a lack of light & ventilation & is a moderate health & safety issue. Additionally it shows an economic disincentive & negative aesthetic impact.	California Building Code 1203.2-3, 1202.1, 1202.2
8	BU	Boarded Unoccupied	(a)(1)	Vacancies	Permanent boarding of one or more windows or doors. In addition the structure is apparently unoccupied.	10	Excessive buildings that are boarded & unoccupied for extended periods of time show an economic disincentive & negative aesthetic impact. To the extent the boarding is professionally done & in good repair these buildings would not be a health & safety issue & so are given a low value.	California Building Code 102
9	ESW	Exterior Structure Support Walls (collapse)	(a)(1) (a)(2)	Deteriorated	Exterior structural support walls that are deteriorated to such an extent that the structure they support may collapse.	20	Severe health & safety, economic disinvestment & aesthetic issues.	California Building Code 102

#	CODE	BLIGHT INDICATOR	CCRL § 33031	SUBHEADING	DESCRIPTION	VALUES	EXPLANATION OF RATINGS ASSUMPTIONS	REFERENCE SOURCES
10	FBW	Fence/Block Wall/Other outdoor wall structures which are defective	(a)(1) (a)(2)	Deteriorated , Defective Const.	Includes wood, chain link, or other material fences, concrete block walls, large planter boxes, etc. that are deteriorated. Deterioration may include deteriorated paint, missing or broken sections, lurching, leaning, cracking, or loose concrete blocks.	2	This indicator is usually evidence of aesthetic issues because the fences & walls are not part of an inhabited structure & their failure is not likely to cause injury. However, there is an element of economic disinvestment & negative aesthetic impact.	Local Municipal Code, as applicable
11	FCM	Faulty Construction Materials	(a)(1) (a)(2)	Defective Design or Physical Const.	Construction materials with the potential for premature deterioration, given outdoor elements, earthquakes, etc.	5	Faulty construction materials are typically chosen to lower construction costs and tend to fail or deteriorate more rapidly than more standard materials. This indicator also represents health & safety issues since there is a greater chance of structural failure with faulty construction materials in the event of earthquakes, floods, etc.	California Building Code 102
12	FEN	Fenestration - windows, screens, doors	(a)(1) (a)(2)	Deterioration	Includes torn or missing screens, or cracked or broken windows, deteriorated doors that may be out of square.	2	This indicator represents economic disinvestment, & health & safety issues. Replacing screens, windows & doors is an expensive; damaged items are visible from the public right of way, potentially lowering property values. Damaged fenestration gives easier access to the building, presenting a potential health & safety or crime issue.	Local Municipal Code, as applicable
13	FH	Fire Hazards (Structure or Severe Site Issue)	(a)(1) (a)(2)	Deterioration	Structures made of old dried out wood which evidence a lack of fire retardant construction (i.e. loose boards providing air ducts for the rapid spread of fires) & no drywall. Site issues also involve severely overgrown vegetation, high piles of dried out yard waste & accumulation of other flammable wastes.	10	This indicator represents severe health & safety issues & economic disinvestment. Fires will damage property & may even cost lives. This category does not get as high a rating as ESW since fires need a flashpoint to start whereas structures with severely damaged exterior walls can collapse on their own.	California Fire Code 103.4.5, 1110, and 1103.
14	FME	Deteriorated Fixtures or Mechanical Equipment/HVAC	(a)(1) (a)(2)	Deterioration	Severely deteriorated outdoor air conditioning units; ventilation units (includes post-construction ventilation pipes probably inserted after the structure was constructed)	5	This indicator represents dilapidation & deterioration. These deteriorated fixtures, mechanical equipment, or HVAC systems can be costly to replace & tend to lower the value of the property. Theoretically, some health & safety issues could apply to this category. However, at the threshold level, this is not normally the case.	Uniform Housing Code 504.3 California Building Code 1202-1203
15	FND	Foundation	(a)(1) (a)(2)	Deterioration	Severe cracks in the foundation of the structure which could lead to the collapse of the structure in the event of an earthquake.	10	Deteriorated foundations are a health & safety issue. An earthquake increases the probability of structural collapse. This category was rated less than collapsed exterior walls & fire hazards, however. Unlike ESW, FND needs a catalyst (i.e. earthquake) to cause more severe structural damage.	California Building Code 102 and 1806.
16	FO	Functional Obsolescence	(a)(2)	Substandard Design Obsolete Design	Often found in converted buildings where the converted uses are incompatible with the design & layout of the building.	10	This indicator is principally economic disinvestment. Typically, the building floor plan, water & waste systems, & parking facilities were not designed for the adopted re-use of the building & do not serve the present use well.	California Building Code 109 and 3405. Local Municipal Code, as applicable
17	G	Graffiti	(b)(7)	Crime	Visible from the public right-of-way showing gang presence.	2, C*	This category indicates anti-social behavior &/or the presence of gangs & other undesirable elements. Unlike bars on the doors & windows, excessive graffiti likely represents actual gang activity rather than fear of such.	Local Municipal Code, as applicable Local Municipal Code, as applicable
18	GC	Garage Conversion Not Permitted	(a)(2)	Code Violations	Garage conversions as evidenced through windows & door entries where the garage door formerly was.	10	Unpermitted garage conversions become a health & safety issue to the extent that such conversions are not made to code. In the case that conversions are poorly constructed & violate building codes, the health & safety of occupants are of principal concern.	Same codes as ANPA

#	CODE	BLIGHT INDICATOR	CCRL § 33031	SUBHEADING	DESCRIPTION	VALUES	EXPLANATION OF RATINGS ASSUMPTIONS	REFERENCE SOURCES
19	ICLU	Incompatible Land Uses	(a)(3)	Incompatible Uses	At land use which is adjacent to a vacant parcel and is a different use from neighboring uses. A typical example is a residential use next to an industrial use (with insufficient setbacks & barriers to prevent residents from suffering unwanted odors, noise & traffic created by the industrial use).	20	Conflicting traffic patterns & noise & potential odors from industrial uses are inimical to resident's quality of life. Economic issue in the case of a residence adjacent to an industrial use, the residence will suffer a decreased market value as may the industrial use.	So, Frank S. et al, The Practice of Local Governmental Planning, International City Management Association: Washington, DC, 1979.
20	IE	Poor Site Ingress/Egress (including emergency vehicle access)	(a)(2)	Substandard Design	Parcels with narrow rights-of-way which severely restrict access to structures from emergency vehicles, restricting their ability to respond to life threatening emergencies. Difficult or awkward access reduces the value of properties due to increased inconvenience.	10	Health & safety & economic disincentive. In the case of an emergency, delays in emergency services can be life threatening. Frequently this condition is an indicator of land use intensities that exceed local FARs & affect other site development issues including a lack of parking and open space.	Chrest, et al, Parking Structures: Planning, Design, Construction, Maintenance and Repair, Van Nostrand: Reinhold, NY, 1989: 13.
21	IEX	Inadequate or impaired access to Building Exits	(a)(1)	Defective Design or Physical Const.	Buildings with insufficient exits according to the Uniform Building Code or exits blocked by vehicles, trash bins or items being stored on the other side of the exit door.	10	Health & safety issue. In the case of a fire, people could be trapped in the building & be burned or killed.	California Building Code 310.4 and 1108 A.
22	ILD	Inadequate Loading/Docking Facilities	(a)(2)	Substandard Design	Related to functional obsolescence. Inadequate loading/docking facilities are evidenced through supply trucks blocking right-of-ways or unloading at a distance from the loading/docking facility.	5	Economic disinvestment. The structure was not constructed with facilities which provide for a smooth transition of products from the point of origin and to the structure. Also, trucks at these buildings often block public right-of-ways, producing a potential health and safety issue.	
23	INF	Potential for Infestation of Rodents or Insects	(a)(1)	long-term neglect	This is evidenced through large accumulations of trash, known habitats for rodents and insects.	5	Health & safety issue. However, the threshold level only requires the potential for such infestation, not actual witness of such. Therefore, this category is mostly economic disinvestment (huge piles of trash laying around) with some health & safety issues rather than pure health and safety violations.	Local Municipal Code, as applicable
24	IP	Irregular Parcel	(a)(4)	Irregular Parcelization	Odd shape (i.e. long & skinny, triangular shape, extremely small) limits effective development on the parcel, creating economic disinvestment or even preventing development altogether on the parcel.	20	Irregular parcels represent economic disinvestment as they cannot be utilized to maximum potential (based on comparisons with other, regular parcels of the same size).	
25	IV	Inoperable Vehicles/Inadequate vehicle storage	(a)(1)	long-term neglect	Vehicles which appear to be inoperable or are visibly under repair from the public right-of-way. Such evidence of inoperable vehicles includes flat tires, no wheels and/or vehicles on blocks.	2	A lack of on-site, inappropriate vehicular storage which has been allowed to continue over time.	Local Municipal Code, as applicable
26	OPR	Obstruction of Public ROW	33030(c)	N/A	Cars, debris or barricades blocking the public right-of-way (streets, sidewalks or alleys).	5	This category is potentially a health and safety issue (i.e., obstruction of public streets and alleys could lead to an increase in traffic accidents or vehicular/pedestrian conflicts as pedestrians must walk in the street to avoid the obstruction), a sign of overcrowding, or an example of economic disinvestment. Since the potential for such accidents is low, however, the threshold for this category is relatively low as well.	

#	CODE	BLIGHT INDICATOR	CCRL § 33031	SUBHEADING	DESCRIPTION	VALUES	EXPLANATION OF RATINGS ASSUMPTIONS	REFERENCE SOURCES
27	OV	Overgrown/Hazardous Vegetation	(a)(1)	Viable use of lots	Overgrown vegetation could hide street signs, provide nesting grounds for vermin or, in worst cases, be a fire hazard.	5	The threshold level for OV is mostly economic disinvestment, however there is a health & safety issue. Vegetation is indicative of neglected property maintenance & is a factor in lowering property values. This category is also somewhat aesthetic in nature.	
28	P	Paint-related issues	(a)(1)	Long-term neglect	May include checking, cracking, peeling, chalking, dry rot, warping	5	Indicates long-term neglect of structures leading to serious dilapidation and deterioration	
29	PDL	Presence of Payday Lenders or Pawn Shops	(b)(6)	Adult Businesses	Payday Lenders or Pawn Shops that are either stand alone structures or part of other businesses.	2, C*	Individually, payday lenders or pawn shops are very minor examples of economic disinvestment. Collectively, many PDL establishments show economic disinvestment.	5/24/00 Statement by Ellen Seidman Testimony on Predatory Lending before the committee on Banking and Financial Services, US House of Representatives.
30	PQ	Poor Construction Quality/Corrugated Steel/Building Type (Marshall and Swift)	(a)(2)	Substandard or defective construction	Economic value of the structure is decreased by how the building is constructed. The use of less expensive materials (i.e. corrugated steel) & construction techniques do not necessarily create health & safety situations. However, it does decrease the value of the structure since the value present from excellent construction quality is never there.	5	Poor construction quality is an example of economic disinvestment since costs were cut during the construction phase, producing a poorer quality product.	Marshall & Swift Valuation Service p. 12
31	PRI	Deteriorated/Absent Private Infrastructure	(a)(2)	Viable use of lots	These involve driveways, walkways, etc. that are either unpaved or deteriorated.	5	This category is mostly economic disinvestment.	Bookout, Lloyd W. "Valuing Landscape, Site Planning, and Amenities." Urban Land Archives, 1994, November.
32	PSL	Poor Site Layout (exceeds FAR, access to parking, onsite circulation, turning radius)	(a)(2)	Substandard Design	Poor site layout results in inefficient use of a parcel & may include: i) poor access to structures, ii) parking irregularities, iii) excessive FAR, iv) onsite traffic issues (narrow rights of way, poor turning radii), or v) lack of minimum space between buildings. Often found on irregular parcels.	5	Poor site layout is an economic disinvestment in that the structures are not situated to function at their maximum efficiency. Health & safety issues exist when the site has poor circulation & small turning radii which limit emergency vehicle access.	Chrest, et al, Parking Structures: Planning, Design, Construction, Maintenance and Repair, Van Nostrand, Reinhold, NY, 1989: 84-85.
33	PUI	Deteriorated/Absent Public Infrastructure: Street, Curb, Gutter, Sidewalk, Utility (specify which)	33030 (c)	N/A	Not evaluated for Layer 1, but is evaluated as Layer 2.	N/A	This cannot be evaluated at a parcel level as public infrastructure is not attached to individual parcels.	

#	CODE	BLIGHT INDICATOR	CCRL § 33031	SUBHEADING	DESCRIPTION	VALUES	EXPLANATION OF RATINGS ASSUMPTIONS	REFERENCE SOURCES
34	R	Roofs	(a)(1)	Deterioration	See Threshold Photograph - no explanation required.	10	Damaged roofs are a health and safety issue. Roofs offer protection against the elements, and when damaged, structures run the risk of internal water damage which weakens the integrity of the structure. In the most severe cases, roof damage can lead to its collapse, rendering the structure uninhabitable. However, at the threshold level, there typically is no immediate danger of roofs collapsing nor immediate life endangerment. Thus, an even higher rating is not warranted.	California Building Code 102
35	SCF	Security Fencing	(b)(7)	Crime	No explanation required	2	Security fencing is often indicative of perceived crime in the area. However, sometimes it exists to keep people out of an area regardless of the actual crime in the area. Since security fencing is not indisputable prove of crime, this category gets a slightly lower rating assumption than categories with actual crime.	
36	SD	Substandard Design (structure)	(a)(2)	Substandard Design	Substandard Design, as opposed to Low Quality Design assumes the potential for health & safety issues. In doing so, economic disinvestment occurs. A good example of this category is Quonset huts.	5	As per the description of this category, structures with substandard design have potential for health & safety issues as well as being examples of economic disinvestment. Such structures, especially older ones, may have been built to code when first constructed but are not compliant with current codes.	Uniform Housing Code Ch. 10
37	SS	Secondary Structure	(a)(1) (a)(2)	Deteriorated	Includes secondary structures which are currently deteriorated or dilapidated.	5	These structures may be inhabited or not. They are deteriorated to the extent that they would have accumulated 20 or more physical Blight Points as determined by the field team.	
38	UM	Unreinforced Masonry	(a)(1) (a)(2)	Vulnerable to serious seismic damage, Substandard Buildings	Older brick buildings with cracks as evidence of insufficient reinforcement from earthquakes. It is possible that these structures will fall during the next earthquake.	10	Unreinforced masonry is a health & safety issue as well as economic disinvestment. However, verification of these buildings being unreinforced requires consultation with city staff, a task conducted after the field survey. Since these structures, during the field survey are not verified, it can only be rated as an economic disinvestment.	Unreinforced Masonry Building Law SB 547 California Codes Government Code Sections 8875-8875.95
39	UST	Unsafe Stairways or Walkways	(a)(1)	Deteriorated	Unsafe stairways or walkways are deteriorated (often evidenced by broken steps, unevenness, etc.), missing handrails, have no traction on the surface (creating the danger of being slippery when wet), or have obstacles limiting access to their safe usage.	5	This category is a health & safety issue and a case of economic disinvestment. Unsafe stairways or walkways limit access to structures & are dangerous to walk on. This category does not receive a higher category because the threshold is less than life threatening.	California Building Code 102, 1003.3.3.
40	WP	Weather Protection, holes in plaster/stucco/wood	(a)(1)	Deterioration	Holes in plaster, stucco or wood at least as large as shown in the threshold photograph.	5	This category shows economic disinvestment since repairs (sometimes fairly expensive) are required for the structure. Additionally, this category has some health & safety issues associated to it (i.e. moisture can get inside of the walls causing dry rot, fungus, etc.).	California Building Code 1402

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APPENDIX C

**MINIMUM THRESHOLD
PHOTOGRAPHIC SAMPLES**





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Please note that the following photos are not of properties within the Added Territory. They are samples of specific conditions to provide a threshold level for evaluation purposes. In order for a building in the Added Territory to be labeled as suffering from a deteriorated roof, for example, the condition of the roof must meet or exceed the threshold shown in the photograph of the deteriorated roof. If it does not meet or exceed this threshold, it was not identified as a blight condition.

Photographs of blight conditions on properties inside of the Added Territory are provided in Appendix E.



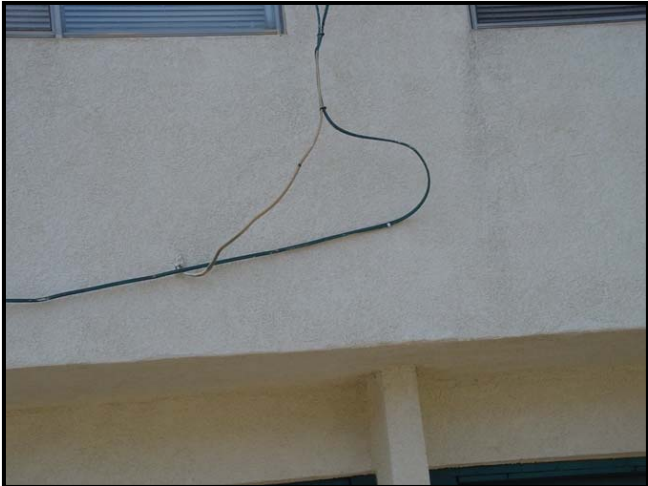
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Blight Indicators: "Minimum Threshold Standards" Catalog



AB – Adult Business



AEH – Apparent Electrical Hazards



AEH – Apparent Electrical Hazards



ANPA – Addition Not Permitted (Room Addition/Alteration, etc.)



ANPB – Patio Cover (or other minor construction) Not Permitted



AS – Appurtenant Structure

Blight Indicators: "Minimum Threshold Standards" Catalog



BAR – Bars on Doors/Windows



BO – Boarded Occupied



BU – Boarded Unoccupied



ESW – Exterior Structure Support Walls



FBW – Fence/Block Wall/Other outdoor wall structures



FCM – Faulty Construction Materials

Blight Indicators: "Minimum Threshold Standards" Catalog



FEN – Fenestration – windows, screens, doors



FH – Fire Hazard



FME – Deteriorated Fixtures/Mechanical Equipment/HVAC



FND – Foundation



FND – Foundation



FO – Functional Obsolescence (ad hoc change of use)

Blight Indicators: "Minimum Threshold Standards" Catalog



G – Graffiti



GC – Garage Conversion Not Permitted



IE – Poor Site Ingress/Egress (including emergency vehicle access)



IE – Inadequate or impaired access to Building Exits



ILD – Inadequate Loading/Docking Facilities

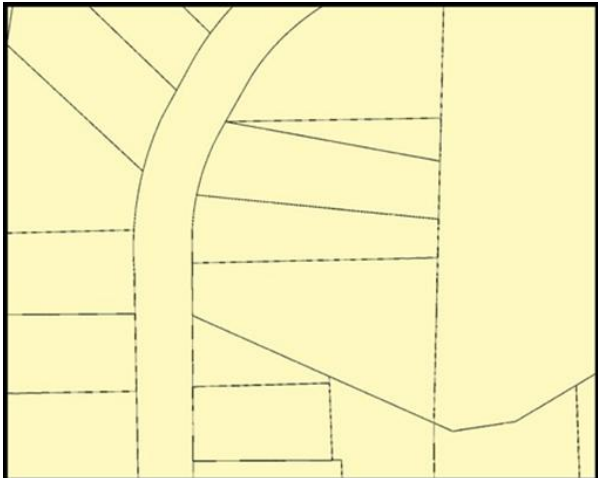


ILD – Inadequate Loading/Docking Facilities

Blight Indicators: "Minimum Threshold Standards" Catalog



INF – Potential of Infestation of Rodents or Insects



IP – Irregular Parcel



IV – Inoperable Vehicles



IV – Inoperable Vehicles



OPR – Obstruction of Public ROW



OV – Overgrown/Hazardous Vegetation

Blight Indicators: "Minimum Threshold Standards" Catalog



OV – Overgrown/Hazardous Vegetation



P – Paint-related issues



PDL – Presence of Payday Lenders or Pawn Shops



PQ – Poor Construction Quality/Corrugated Steel/Building Type



PRI – Deteriorated/Absent Private Infrastructure



PSL – Poor Site Layout

Blight Indicators: "Minimum Threshold Standards" Catalog



PUI – Deteriorated/Absent Public Infrastructure Street, Curb, Parking



R – Roofs



R – Roofs



SCF – Security Fencing



SD – Substandard Design (structure)



SS – Secondary Structures

Blight Indicators: "Minimum Threshold Standards" Catalog



UM – Apparent Unreinforced Masonry



UST – Unsafe Missing Stairways or Walkways



WP – Weather Protection



APPENDIX D
BLIGHT CONDITIONS BY PARCEL





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The following matrix identifies by parcel number (left column) the acronyms (top row) for the 40 blight indicator codes and the values assigned to each parcel (more completely defined in Appendix A) used in the blight analysis contained in this Unified Report. Please note that most of the blight conditions identified on the Plant site were not done during the Field Reconnaissance because access was not allowed. Therefore, point values on those parcels that make up the Plant site are not reflected on this matrix.



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APPENDIX E

**PHOTOGRAPHS OF BLIGHT IN THE ADDED
TERRITORY**





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Unsafe railroad crossing; no curb, gutter, or sidewalk;
overhead utility lines; weeds



Damaged roof and apparent electrical hazards with loose and
exposed wiring



Inoperable vehicle in front yard



Previously developed, now vacant; damaged chain link fence;
weeds



Vacant building; serious damage and deterioration; graffiti; damaged chain link fence; weeds



Vacant buildings; serious damage and deterioration; graffiti; weeds



Multiple inoperable vehicles; damaged and deteriorated building



Graffiti



Serious damage and deterioration



No curb, gutter, or sidewalk; damaged fence; inoperable vehicles; overhead utility lines



Inoperable vehicles



No curb, gutter, or sidewalk; damaged fence; overhead utility lines



Seriously damaged and deteriorated building; weeds



Inoperable vehicles; weeds



Damaged roof; dirt driveway; bare plywood used as building material



Inoperable vehicles



Poorly patched exterior wall repair; deteriorated secondary structure; damaged and rusted building; dirt driveway



Seriously damaged and deteriorated building



No curb, gutter, or sidewalk; flooding; damaged fence



Seriously damaged and deteriorated building



Seriously damaged and deteriorated buildings



No curb, gutter, or sidewalk; flooding; damaged fence



Inoperable vehicles; damaged fence



Damaged road



Seriously damaged and deteriorated building; inadequate building materials



Seriously rusted building



Excessive overhead utility lines; no curb, gutter, and sidewalk



Seriously damaged and deteriorated building



Inadequate and damaged support for mechanical fixture;
blocked garage door; damaged driveway



Seriously damaged and deteriorated building



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ORDINANCE C.S. 1063

NOTICE IS HEREBY GIVEN that on July 14, 2009, at 9:00 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of Ordinance C.S. 1063 approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No. 1 that adds an additional 175 acres of unincorporated territory to the Riverbank Redevelopment Project Area.

NOTICE IS FURTHER GIVEN that a full copy of the proposed ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Keith Boggs, Deputy Executive Officer, Stanislaus County Chief Executive Office at (209) 525-6333 or at 1010 10th Street, Suite 6800, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: June 30, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus,
State of California



BY: _____
Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Jul 07, 2009

ORDINANCE C.S. 1063
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Pub Dates July 7, 2009

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

July 9th, 2009

(Signature)





Riverbank Redevelopment Area

Amendment #1: Additional Inclusion of County Unincorporated Territory

Report to County Board of Supervisors
June 30, 2009

Riverbank Reinvestment Project
PROJECT AREA

-  City Limit
-  Project Area
-  County Land in Project Area

