

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

DEPT: Chief Executive Office

BOARD AGENDA # B-12

Urgent Routine

AGENDA DATE July 14, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval To Waive the Second Reading and Adopt 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

STAFF RECOMMENDATIONS:

Adopt an Ordinance Approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No.1, in accordance with California Health and Safety Code Section 33213.

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. 2009-487

On motion of Supervisor O'Brien, Seconded by Supervisor DeMartini
and approved by the following vote,
Ayes: Supervisors: O'Brien, Monteith, and Chairman DeMartini
Noes: Supervisors: Chiesa and Grover
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION: ADOPTED AND WAIVED THE SECOND READING OF ORDINANCE C.S. 1063; and, amended the item to request that the Riverbank City Council consider adding County representation to their Redevelopment Agency



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-K-1

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.

This first amendment to the Redevelopment Plan seeks the inclusion of an approximately 320 additional acres, 175 of which are adjacent unincorporated County

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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.

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:

Approval To Waive the Second Reading and Adopt 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
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- 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. 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:

Approval To Waive the Second Reading and Adopt 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
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- 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.

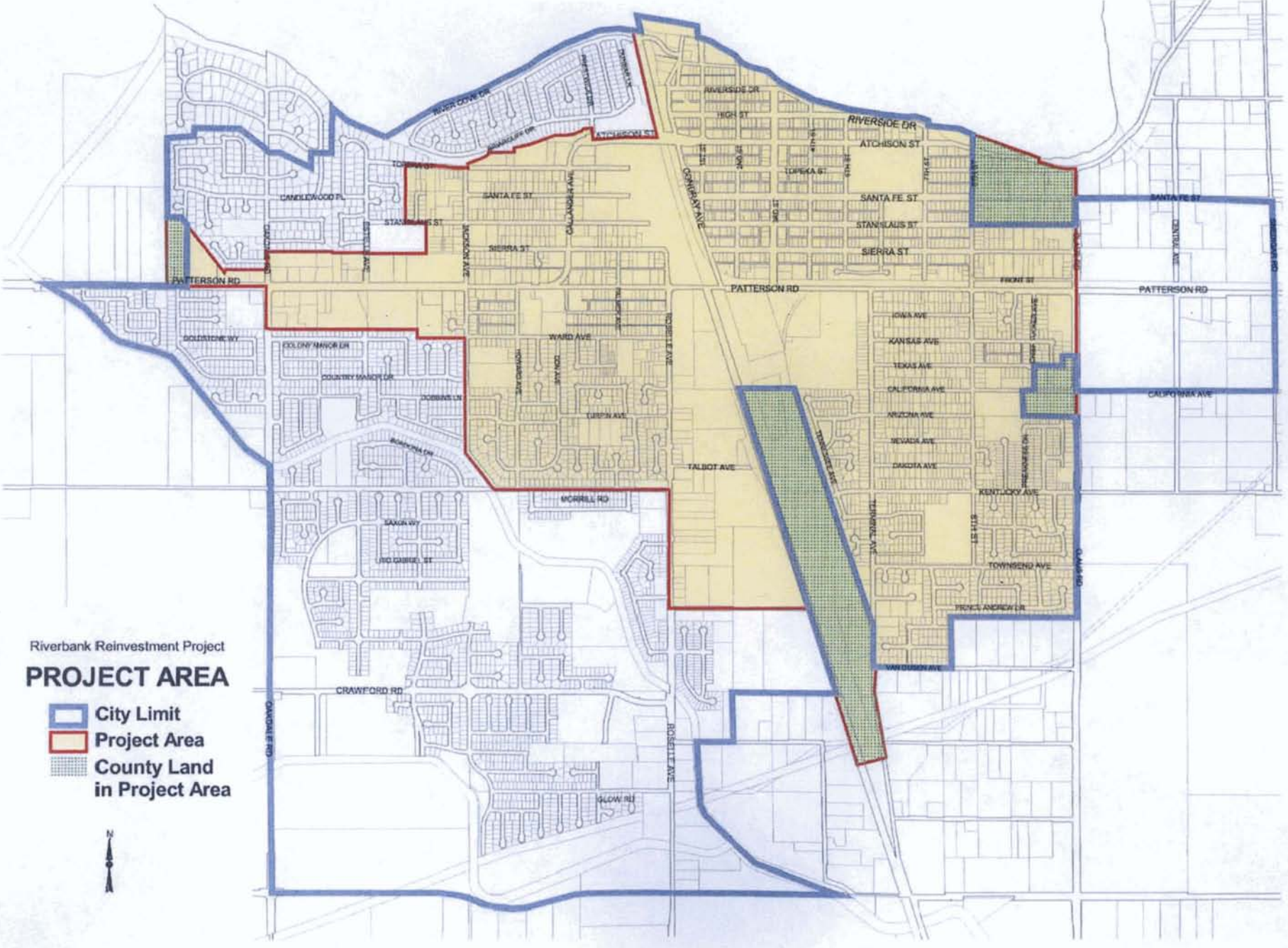
The county has similar agreements in place with cities such as Ceres and Turlock that encourage city participation in the improvement of unincorporated territory with the anticipation that annexation will occur. This same relationship has been discussed between Riverbank and Stanislaus County staff and 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.

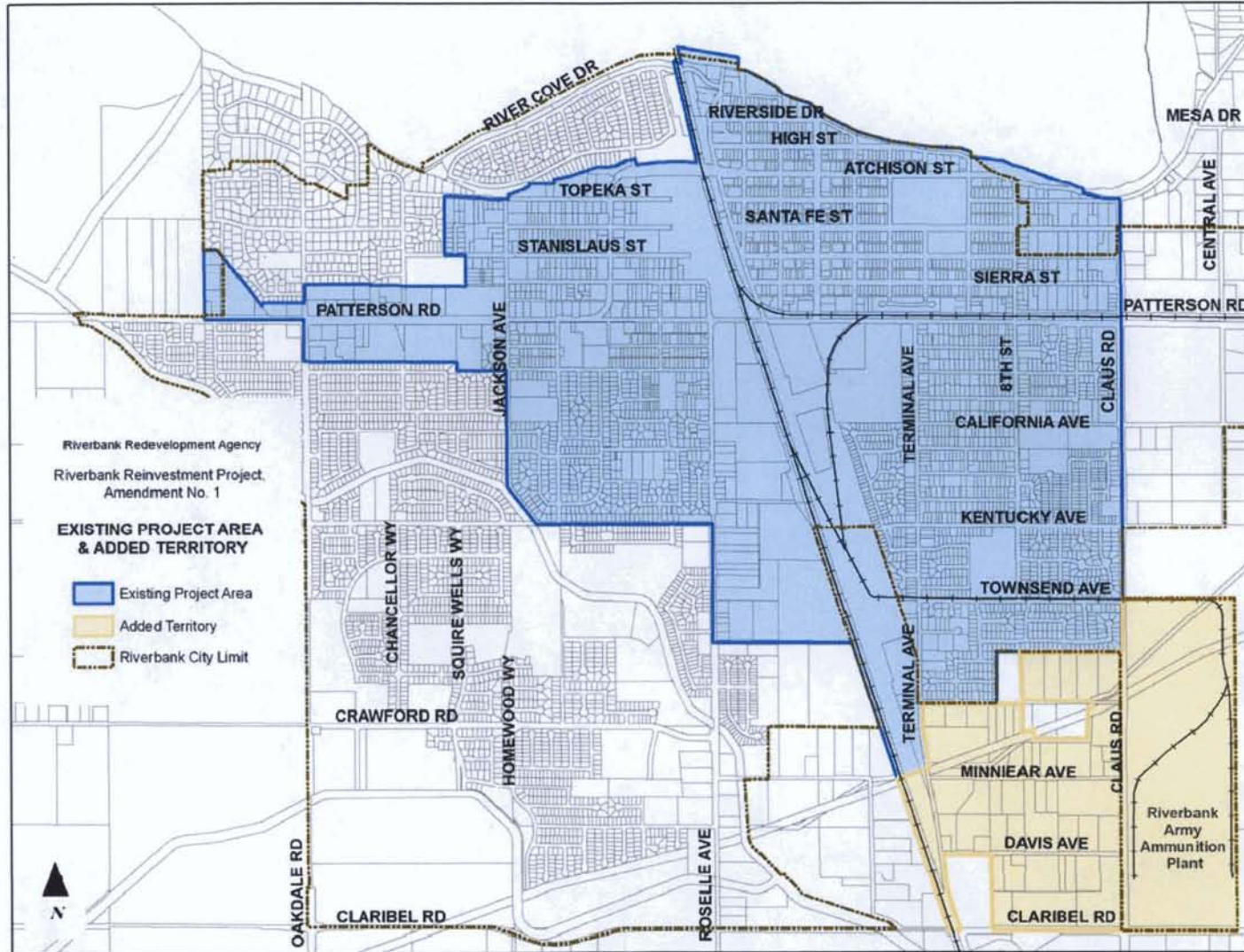


Riverbank Reinvestment Project

PROJECT AREA

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





ORDINANCE NO. C.S. 1063

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.

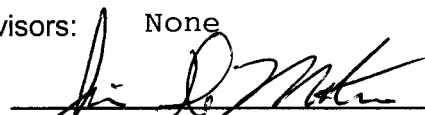
Section 3. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State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

Upon motion of Supervisor O'Brien seconded by Supervisor DeMartini 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 14th day of July, 2009, by the following-called vote:

AYES: Supervisors: O'Brien, Monteith and Chairman DeMartini

NOES: Supervisors: Chiesa and Grover


ABSENT: Supervisors: None

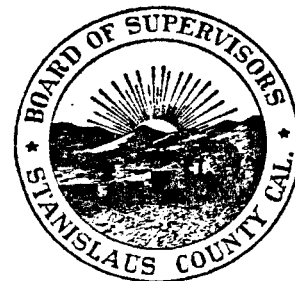


Jim DeMartini, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

ATTEST:

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

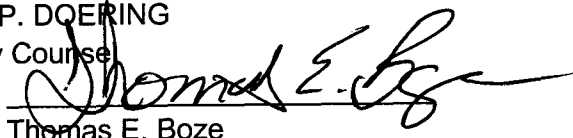
By 
Liz King Deputy Clerk



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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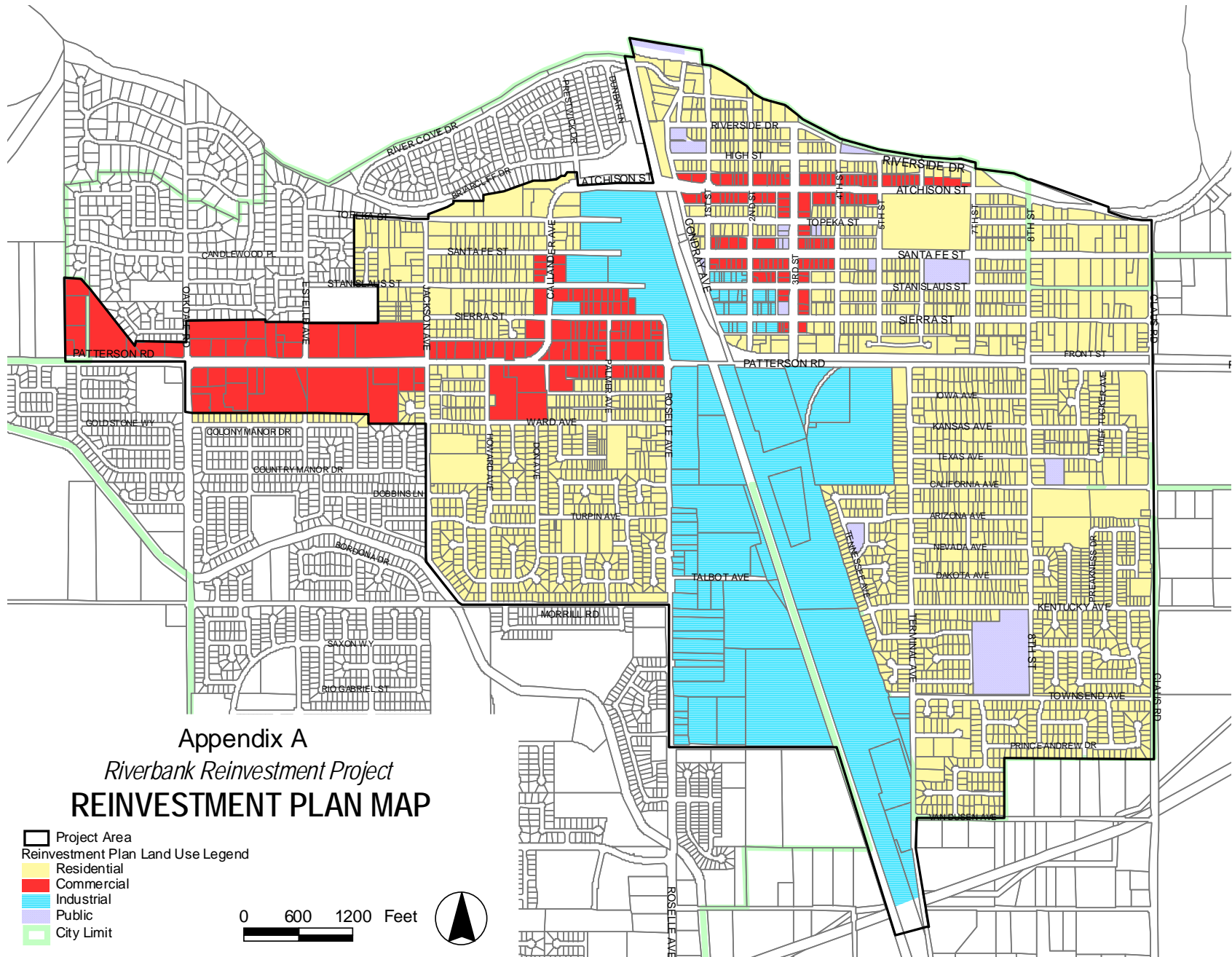


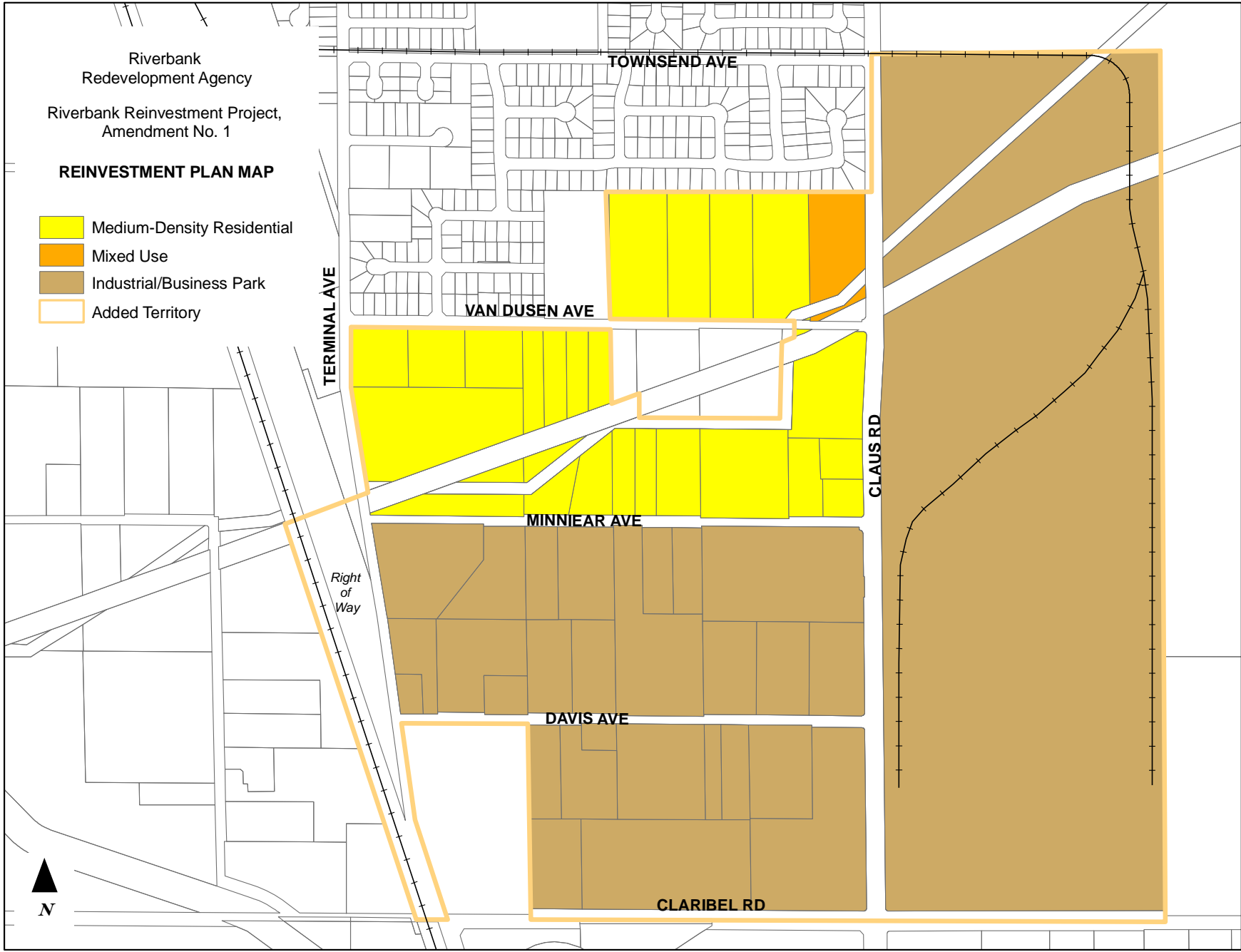
APPENDIX A
Reinvestment Plan Map



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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.

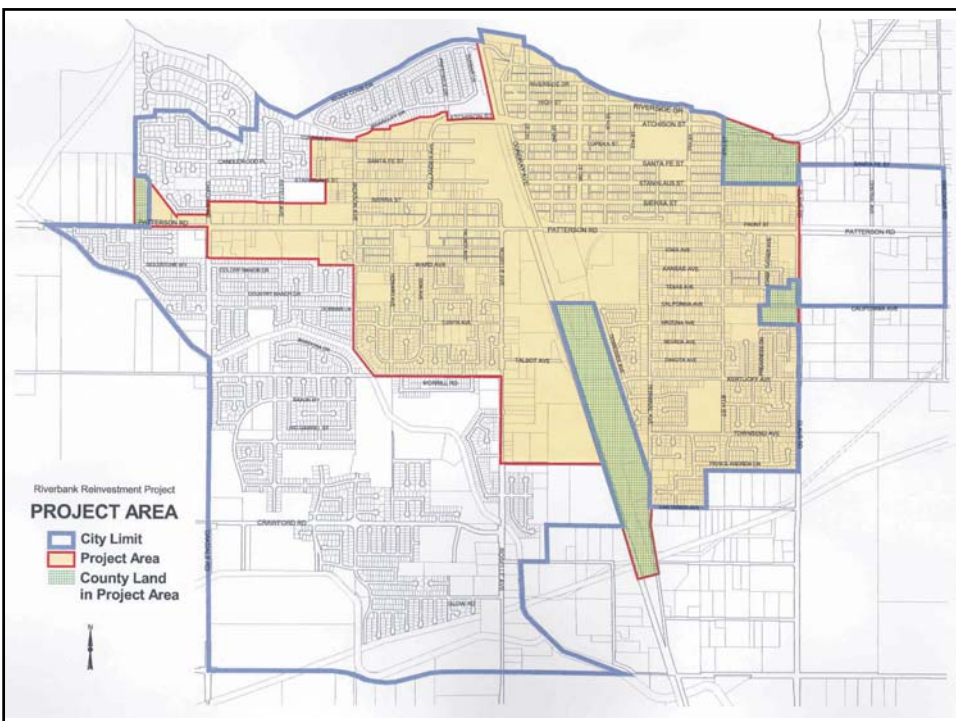
AREA OF GEOGRAPHIC AREA = APPROX 320 ACRES

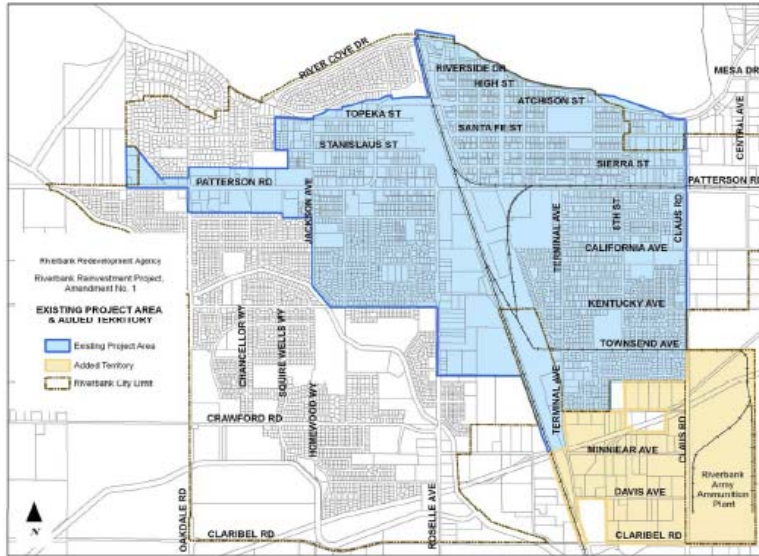


Riverbank Redevelopment Area

Amendment #1: Additional Inclusion of County Unincorporated Territory

Report to County Board of Supervisors
July 14, 2009





ORDINANCE C.S. 1063

Upon motion of Supervisor O'Brien, seconded by Supervisor DeMartini, Ordinance C.S. 1063 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 14th day of July 2009, by the following called vote:

AYES: SUPERVISORS: O'Brien, Monteith and Chairman DeMartini
NOES: Chiesa and Grover
ABSENT: None
ABSTAINING: None

Ordinance C.S. 1063 approves 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. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, California. 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: July 14, 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 20, 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 21st, 2009

(Signature)



ORDINANCE C.S. 1063
Upon motion of Supervisor O'Brien, seconded by Supervisor DeMartini, Ordinance C.S. 1063 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 14th day of July 2009, by the following called vote: AYES: SUPERVISORS: O'Brien, Monteith and Chairman DeMartini; NOES: Chiesa and Grover; ABSENT: None; ABSTAINING: None. Ordinance C.S. 1063 approves 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. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, California. 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: July 14, 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

Pub Dates July 20, 2009