



**REPORT TO THE
REDEVELOPMENT AGENCY
AND CITY COUNCIL
of the City of Sacramento**

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

Staff Report
March 4, 2008

**Honorable Chair and Members of the Agency Board
Honorable Mayor and Members of the City Council**

**Title: Richards Redevelopment Plan Amendment, Railyards Redevelopment Plan,
Report to Council**

Location/Council District: Richards Boulevard Redevelopment Project Area, Council District 1

Recommendation:

Adopt a 1) **Redevelopment Agency Resolution** approving the proposed Railyards Redevelopment Plan and Richards Boulevard Redevelopment Plan Amendment, 2) **Redevelopment Agency Resolution** approving and requesting a Joint Public Hearing with the City Council to consider approval of the proposed Redevelopment Plan and Amendment and final Environmental Impact Report, and approving and adopting Rules Governing Participation and Preferences by Property Owners and Business Occupants in the Railyards Redevelopment Project; 3) **City Resolution** a) acknowledging receipt of the Report to Council from the Redevelopment Agency, and b) consenting to and calling for a Joint Public Hearing to consider approval of the proposed Redevelopment Plan and Amendment and final Environmental Impact Report.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645; David Harzoff, Economic Development Manager, (916) 808-5385

Presenters: Rachel Hazlewood
Department: Economic Development
Division: Citywide/Richards Boulevard
Org. Number: 4451

Description/Analysis

Issue: The Redevelopment Agency seeks to create a separate and distinct Railyards Redevelopment Project Area from the existing Richards Boulevard Redevelopment Project Area in order to address unique obstacle confronting the

Railyards project. The attached "Report to Council" on the Proposed Railyards Redevelopment Plan, the Richards Boulevard Redevelopment Plan Amendment ("Proposed Plan and Plan Amendment"), and the Rules Governing Participation and Preferences by Property Owners and Business Occupants in the Railyards Redevelopment Project are reports required by California Community Redevelopment Law as part of the redevelopment plan amendment and plan adoption processes. Additionally, a Joint Public Hearing on the Proposed Plan and Amendment must be held prior to redevelopment plan adoption. The plan amendment and plan adoption processes were initiated by the City Council in June 2007 and are scheduled to conclude with the adoption of the Redevelopment Plan and Amendment in May 2008.

California Community Redevelopment Law Section 33352 requires that the proposed Redevelopment Plan be accompanied by a report known as the Report to Council, which is prepared by the Redevelopment Agency and transmitted to City Council. Redevelopment Law also states that the Report to Council is to include documents and information required to the extent warranted by the proposed Amendment. The Report to Council has been prepared accordingly by Agency staff giving reasons for the Proposed Plan and Amendment. It incorporates the 5-Year implementation plans for the two resulting Project Areas, analyzes the financial feasibility of the proposed actions, incorporates by reference a program environmental impact report, and other information as required by Redevelopment Law. Much of the Report's contents were contained in the Preliminary Report, which was approved by the Redevelopment Agency Board on December 11, 2007. It is recommended that the Redevelopment Agency review this document and adopt a resolution transmitting it and related documents to the City Council and that the City Council acknowledge receipt of the documents before setting a joint public hearing.

Redevelopment Law Section 33345 provides that a redevelopment agency shall adopt and make available for public inspection rules regarding participation by property owners and the extension of reasonable reentry preferences to business occupants within the Project Area, or Owner Participation Rules. It is the intention of the Agency to encourage and permit participation in the redevelopment of the Railyards Redevelopment Project by property owners and to extend reasonable reentry preferences to business occupants of real property within the boundaries of the Railyards Project Area to the maximum extent feasible consistent with the objectives of the Redevelopment Plan. Mirroring those adopted for other recently-formed Project Areas in the City, the Owner Participation Rules provide a specific plan outlining owner participation opportunities, methods, procedures, limitations and enforcement. It is recommended that the Redevelopment Agency review this document and adopt a resolution approving and adopting the Owner Participation Rules.

Prior to the Redevelopment Agency's consideration of the ordinance approving the Proposed Plan and Amendment, a joint public hearing must be held to hear all testimony for and against the proposed actions. Redevelopment Law and the

Government Code require a notice of the public hearing to be published in a newspaper of general circulation not less than once a week for four (4) consecutive weeks and that it be mailed to all affected taxing agencies 30 days prior to the hearing. It is proposed that a Joint Public Hearing on the proposed Railyards Redevelopment Plan and Richards Boulevard Redevelopment Plan Amendment be scheduled for the public meeting of April 22, 2008. A community meeting will be held prior to the joint public hearing to provide the public with further opportunity to participate in the process.

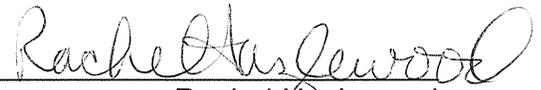
Policy Considerations: The actions proposed in this staff report are consistent with the redevelopment plan amendment and adoption processes established by Redevelopment Law. While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City, as well as several guiding principles to help guide the update and achieve this vision. The applicable guiding principle that this project complies with is the following: "Programs and strategies should promote the development of the community to the fullest range possible in the City of Sacramento." In addition to being consistent with this principle, the proposal is not contrary to any of the other approved principles of the General Plan Update Vision.

Environmental Considerations: The proposed actions in this staff report do not constitute a project under the California Environmental Quality Act (CEQA). The National Environmental Policy Act does not apply. The preparation and processing of a proposed amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project and a proposed new redevelopment plan for the Railyards Redevelopment Project will require the Redevelopment Agency to conduct full environmental review, up to and including preparation of an environmental impact report, pursuant to California Public Resources Code, sections 21083 and 21087; CEQA Guidelines Section 15180; and California Health and Safety Code, Section 33352. The Notice of Preparation and Initial Study on the Amendment and Redevelopment Plan were circulated on October 10, 2007. The Draft Program Environmental Impact Report (EIR) was circulated on January 22, 2008. The Agency will be asked to approve the final EIR at the joint and concurrent public hearings and certify the final EIR on May 6, 2008.

Rationale for Recommendation: The recommended actions are necessary to continue the process to amend the existing Richards Boulevard Redevelopment Project Area and adopt the Railyards Redevelopment Project Area, which together would result in a more comprehensive program to revitalize and redevelop the Richards Boulevard (River District) and Railyards areas. Consideration of the Proposed Plan and Plan Amendment will occur at the joint public hearing of the City Council and Redevelopment Agency.

Financial Considerations: None are associated with these actions.

ESBD Considerations: There are no ESBD considerations associated with the actions requested in this report.

Respectfully Submitted by: 
Rachel Hazlewood
Senior Project Manager

Approved by: 
David Harzoff
Economic Development Manager

Recommendation Approved:


Ray Kerridge
City Manager

Table of Contents:

Pg	1	Report
Pg	5	Background

Attachments

1	Pg	10	Seventh Amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project
2	Pg	18	Redevelopment Plan for the Railyards Redevelopment Project
3	Pg	48	Report to Council on the Proposed Amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project and Adoption of the Redevelopment Plan for the Railyards Redevelopment Project
4	Pg	49	Rules Governing Participation and Preferences by Property Owners and Business Occupants in the Railyards Redevelopment Project
5	Pg	60	Redevelopment Agency Resolution
6	Pg	63	Redevelopment Agency Resolution
7	Pg	64	City Council Resolution

Background

The Richards Boulevard Redevelopment Plan was adopted by the City Council in July of 1990. Since that time, the Redevelopment Plan has been amended six times. Efforts to redevelop the Railyards area over the past 18 years have not resulted in any substantive change due to the unique obstacles that make it different from the rest of the Richards Boulevard Project Area. These obstacles include a severe lack of infrastructure, environmental contamination (which has created higher costs and longer timeframes for development), the need to realign the area's levee system, issues of historic preservation, and time and cost issues related to realignment of the Union Pacific mainline railroad tracks to facilitate circulation improvements.

Creating a separate and distinct Railyards Redevelopment Project Area will (1) enable the Railyards area to be developed and provide mechanisms for support and assistance to that development as feasible, necessary and appropriate, and (2) protect the remainder of the Richards Boulevard Project Area from the costs and other development constraints particularly affecting the Railyards area.

The three documents involved in the actions to be considered by the Agency are described in more detail below.

Amendment to the Richards Boulevard Redevelopment Plan

The proposed seventh amendment to the Richards Boulevard Redevelopment Plan primarily removes the 298-acre area proposed to be the Railyards Redevelopment Project Area and removes a two-acre parcel that contains a portion of the federal courthouse. A secondary purpose of the proposed amendment is to rename the Project and Project Area to the "River District Redevelopment Project" and "River District Redevelopment Project Area" to be consistent with current community development initiatives in the area. No other amendments are proposed.

Specific changes in the Richards Redevelopment Plan include the following:

- Re-titling the Project and Project Area to replace "Richards Boulevard" with "River District" throughout the document
- Replacing Project Area maps and the legal description to reflect the smaller 1,068-acre Project Area boundaries
- Miscellaneous incidental changes.

The Amendment does not alter land use policies, financial or time limits, or any other component of the Richards Boulevard Redevelopment Plan, nor does it change the terms of any financial obligation of the Project Area. When forwarded to the Planning Commission by the Agency on January 10, 2008, the Planning Commission determined the Redevelopment Plan Amendment was consistent and conforms to the City's General Plan.

The Amendment is being processed concurrently with the Railyards Redevelopment Plan, and would only go into effect if the Railyards Redevelopment Plan is adopted by the City Council.

Railyards Redevelopment Plan

The proposed Redevelopment Plan contains a list of major goals for the Railyards Redevelopment Project Area to guide future activities. Section 100 of the proposed Redevelopment Plan identifies the goals which include elimination of blight, the replanning, redesign and development of the stagnant or improperly utilized parcels, assembly of parcels into suitable sizes for modern development, improvement to circulation infrastructure, strengthening of the economic base, provision of parking and open spaces, establishment and implementation criteria to ensure high quality design, provision of opportunities for owner participation, and the increase, improvement, and preservation of affordable housing.

Section 300 of the proposed Redevelopment Plan outlines the permitted actions of the Agency, including but not limited to extending participation opportunities to property owners and business occupants, acquisition of property (including eminent domain), relocation, property disposition and development, rehabilitation, and (as required by Redevelopment Law) low- and moderate-income housing.

Section 400 of the proposed Redevelopment Plan establishes the land use policies for the Project Area, which as stated earlier in this report, are those set forth in the General Plan and other applicable planning documents, as these documents exist today or are hereafter amended. In this manner, the proposed Redevelopment Plan is consistent with the General Plan.

The proposed method of financing redevelopment is outlined in Section 500 of the proposed Redevelopment Plan. Tax increment revenue would be the primary means to finance redevelopment of the Project Area, and the Plan provides the Agency the authority to collect and use tax increment revenues generated by the Project Area over the next 45 years. The proposed Redevelopment Plan also permits the Agency to incur debt for the first 20 years of the Redevelopment Plan and leverage tax increment revenues to issue bonds, capping the total amount of bonded debt that may be outstanding at any one time at \$500 million.

The proposed Redevelopment Plan also contains a map, legal description, and General Plan land use map of the Project Area, as well as a list of public improvements that may be undertaken by the Agency. The list of public improvements contains broad categories of infrastructure and facility projects, as well as specific projects identified by staff that may occur during the first few years of the Redevelopment Plan.

Report to Council on the Proposed Richards Amendment/Railyards Redevelopment Plan

The Report to Council is an informational document that provides analysis of some of the reasons for and impacts of the Richards Amendment and Railyards Redevelopment Plan. It is prepared and distributed to affected taxing agencies (such as special districts, school districts, and other agencies that levy taxes in the Project Area) as part of the ongoing consultation process required by Redevelopment Law. In addition, the general public may review this document to learn more about the intended purposes and implications of the Amendment and Redevelopment Plan. The Report to Council is presented to the City Council before the joint public hearing.

The Report to Council consists of the following sections.

- Section A: Reasons for Amending the Richards Plan and Adopting the Railyards Plan: Sets forth the reasons for the Amendment and Railyards Plan, which include the existence of physical and economic blighting conditions that cannot be alleviated by the private sector and/or government without the Railyards Redevelopment Plan due to various financial and physical impediments. Section A contains an analysis of urbanized uses in the Railyards Project Area, and finds that the Project Area meets the minimum requirements for such uses. (The Richards Amendment does not require an urbanization analysis.) Section A also contains a description of the housing and nonhousing projects and programs that would be undertaken by the Agency, and correlates these potential redevelopment projects to the elimination of identified blighting conditions in the Railyards Area.
- Section B: A Description of the Blighting Conditions Present in the Railyards Area: The physical and economic blighting conditions in the Railyards Project Area include unsafe and unhealthy buildings, factors hindering viable use of buildings, stagnant property values, impaired property values due to hazardous waste, and an abnormally high number of abandoned buildings. (The Richards Amendment does not require a blight analysis.)
- Section C: Five-Year Implementation Plans: Implementation plans contain specific goals and objectives for the Project Areas, the specific projected to be completed, expenditures to be made during a five-year planning period, and an explanation of how these goals, objectives and expenditures will eliminate blight within the Project Areas. Implementation plans for each Project Area are included in the Appendix of the Report to Council.
- Section D: An Explanation of Why the Elimination of Blight in the Project Area Cannot be Accomplished by Private Enterprise Acting Alone or through Other Financing Alternatives Other than Tax Increment: Redevelopment cannot be accomplished in the Railyards Area without Agency participation and funding from tax increment revenue due to the tremendous cost of environmental mitigation, historic preservation and infrastructure development. Section D provides more detailed reasons of why the Railyards Redevelopment Plan is needed. (The Richards Amendment does not require this analysis.)

- Section E: A Description of the Method of Financing, Including the Economic Feasibility of the Amendment and the Reasons for the Continued Inclusion of Tax Increment: An assessment of the method of financing redevelopment of the Project Area is contained in Section E of the Report. While other resources will always be pursued to augment the redevelopment program, the Redevelopment Agency's primary source of financing redevelopment of the Project Area will be tax increment revenues. The Report contains a forecast of the tax increment revenues that could be generated by the Project Area over a 45-year period.
- Section F: Method of Relocation: In the event that relocation of residents or businesses is ever needed in the Railyards Area, the Agency will adhere to the State Relocation Guidelines, consisting of State Relocation Law and the California Relocation Assistance and Real Property Acquisition Guidelines as described in Section F of the Report. (The Plan Amendment does not alter the Method of Relocation for the Richards Boulevard Redevelopment Project.)
- Section G: Analysis of Preliminary Plans: The Planning Commission approved Preliminary Plans for both Project Areas on August 14, 2007. The Preliminary Plans discuss how the proposed redevelopment of the Project Areas is consistent with the community's general plan and describe the impact of the project upon residents of the Project Areas and surrounding neighborhoods.
- Section H: Report of the Planning Commission: The Planning Commission adopted a report on the conformity of the proposed Redevelopment Plan and Amendment with the City's General Plan on January 10, 2008.
- Section I: Report of Community Outreach Efforts: Section I describes Agency meetings with local official and property owners regarding the proposed Redevelopment Plan and Amendment. A public workshop will be noticed and held prior to the joint public hearing. The Redevelopment Agency Board and City Council will be informed of the outcome of this meeting in early April 2008.
- Section J: Statement of Conformance to the General Plan: Section J states that the proposed Redevelopment Plan and Amendment are in conformance to the City's General Plan per the Planning Commission's report adopted on January 10, 2008.
- Section K: Environmental Documentation: An Environmental Impact Report (EIR) is being prepared pursuant to Redevelopment Law and the California Environmental Quality Act. Section K provides a summary of environmental impacts. A Final EIR will be considered by the City Council and Redevelopment Agency Board at the joint public hearing prior to its certification.
- Section L: Report of the County Fiscal Officer: The Sacramento County Auditor-Controller and California State Board of Equalization provided a 2007-08 base year value for the Railyards Area, amounting \$54,805,723.
- Section M: Neighborhood Impact Report: This section discusses the impact of the proposed Redevelopment Plan and Amendment on low- and moderate-income persons or families in the Railyards Area. Issues discussed are relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affected the physical and social quality of the neighborhood.

- Section N: Summary of Agency's Consultations with Affected Taxing Entities and Response to Said Entities' Concerns Regarding the Plan: The Agency notified affected taxing agencies about the proposed Redevelopment Plan and Amendment on September 11, 2007. The Agency later sent a copy of the Preliminary Report and drafts of the proposed Redevelopment Plan and Amendment on December 20, 2007. The Agency has not received responses to this mailing. The Agency will transmit a notice of the April 22, 2008 Joint Public Hearing and a copy of the Report to Council to affected taxing agencies in March 2008.

Attachment 1

SEVENTH (7TH) AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE
RICHARDS BOULEVARD REDEVELOPMENT PROJECT

The Redevelopment Plan (the "Redevelopment Plan") for the Richards Boulevard Redevelopment Project (the "Project"), as adopted by the City Council of the City of Sacramento on July 17, 1990, by Ordinance No. 90-037, and amended by the City Council of the City of Sacramento on:

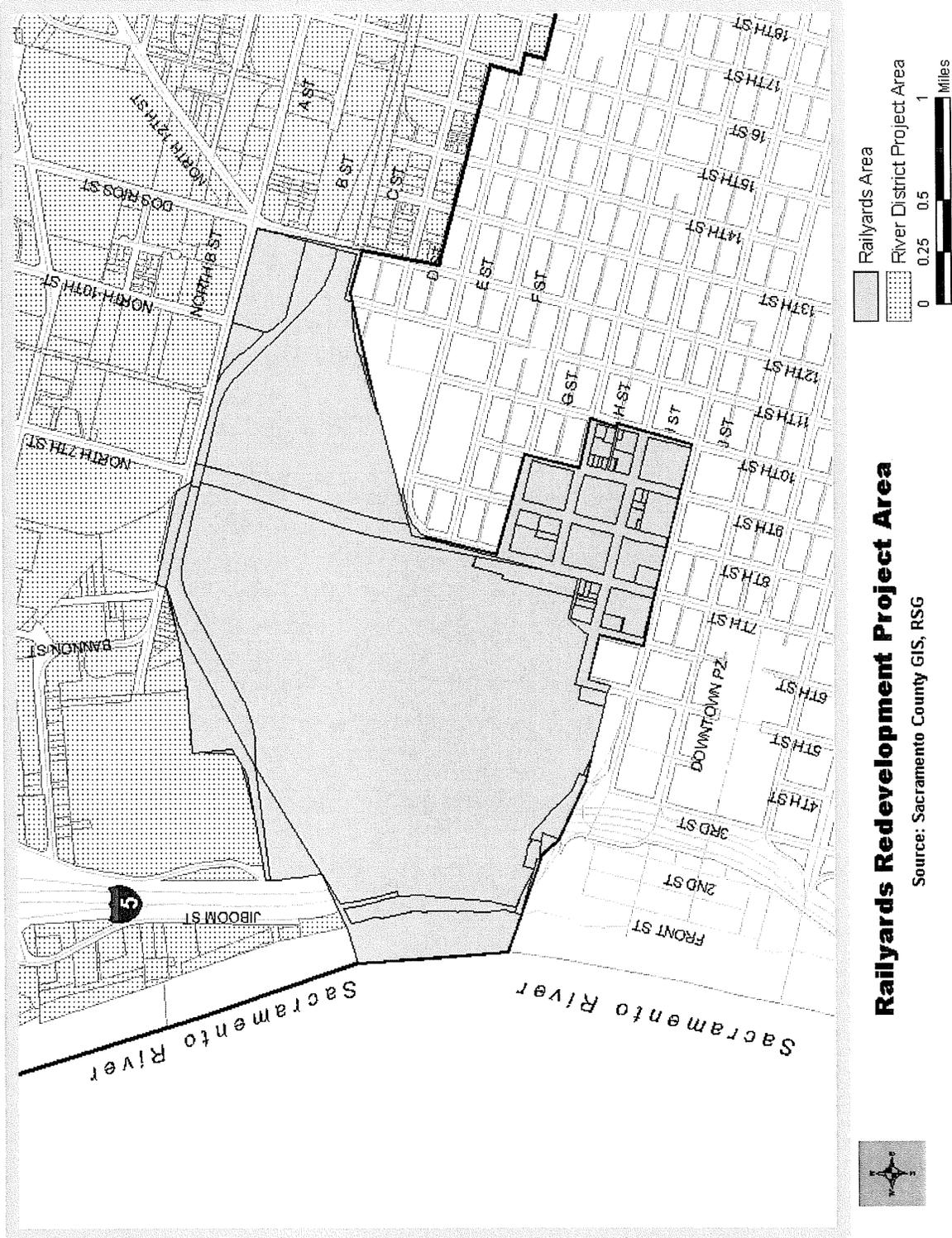
- (1) October 4, 1994, by Ordinance No. 94-046 (the "First Amendment");
- (2) July 2, 1996, by Ordinance No. 96-038 (the "Second Amendment");
- (3) November 13, 2003, by Ordinance No. 2003-73 (the "Third Amendment");
- (4) September 28, 2004, by Ordinance No. 2004-050 (the "Fourth Amendment");
- (5) January 16, 2007, by Ordinance No. 2007-003 (the "Fifth Amendment");
- and
- (6) May 8, 2007, by Ordinance No. 2007-044 (the "Sixth Amendment");

is hereby further amended as follows (the term "Redevelopment Plan," as used hereinafter, means the Redevelopment Plan as amended by the First through Sixth Amendments):

- I. The boundaries of the Project Area, as shown and described in the Redevelopment Plan, are hereby amended to exclude the area (the "Railyards Area") shown on the map attached hereto as Attachment No. 1 and described in the "Legal Description of the Railyards Area," attached hereto as Attachment No. 2.
- II. The name of the Richards Boulevard Redevelopment Project is hereby changed to the River District Redevelopment Project.
- III. The map of the Project Area attached to the Redevelopment Plan as Exhibit "A" is hereby amended and replaced in its entirety by the map attached hereto as Attachment No. 3, entitled "Exhibit 'A,' Richards Boulevard Redevelopment Project Area Plan Map (Amended 2008)."
- IV. The legal description of the Project Area attached to the Redevelopment Plan as Exhibit "B" is hereby amended and replaced in its entirety by the legal description attached hereto as Attachment No. 4, entitled "Exhibit 'B,' Richards Boulevard Redevelopment Project, Legal Description of Project Area (Amended 2008)."

*** ATTACHMENT NOS. 1 THROUGH 4 FOLLOW ***

**ATTACHMENT NO. 1 TO THE
SEVENTH (7TH) AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT**



**ATTACHMENT NO. 2 TO THE
SEVENTH (7TH) AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT**

LEGAL DESCRIPTION OF THE RAILYARDS AREA

ALL THAT CERTAIN LAND SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF SACRAMENTO RIVER AND THE "I" STREET BRIDGE;

(1) THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID "I" STREET BRIDGE, SOUTH 56°28'51" EAST, 1,318.00 FEET, TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF CAMELLIA PLACE AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 26, PAGE 18, OF RECORDS OF SURVEYS, RECORDS OF SAID COUNTY;

(2) THENCE EASTERLY ALONG SAID WESTERLY PROLONGATION AND NORTHERLY LINE, SOUTH 71°32'48" EAST, 516.54 FEET;

(3) THENCE CONTINUING EASTERLY ALONG SAID NORTHERLY LINE, SOUTH 71°30'19" EAST, 401.91 FEET, TO A POINT ON THE CENTERLINE OF 5TH STREET AS SHOWN ON SAID RECORD OF SURVEY;

(4) THENCE NORTHERLY ALONG SAID CENTERLINE OF 5TH STREET, NORTH 18°26'34" EAST, 220.73 FEET, TO THE CENTERLINE OF "H" STREET;

(4A) THENCE EASTERLY ALONG SAID CENTERLINE OF "H" STREET, SOUTH 71°33'22" EAST, 400.72 FEET, TO THE CENTERLINE OF 6TH STREET;

(5) THENCE SOUTHERLY ALONG SAID CENTERLINE OF 6TH STREET, SOUTH 18°28'08" WEST, 419.98 FEET, TO THE CENTERLINE OF "I" STREET;

(6) THENCE EASTERLY ALONG SAID CENTERLINE OF "I" STREET, SOUTH 71°30'52" EAST, 1,560.00 FEET, TO A POINT ON THE SOUTHERLY PROLONGATION OF THE WESTERLY RIGHT-OF-WAY LINE OF 10TH STREET;

(7) THENCE NORTHERLY ALONG SAID SOUTHERLY PROLONGATION AND WESTERLY RIGHT-OF-WAY LINE, NORTH 18°30'00" EAST, 800.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF "G" STREET;

(8) THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 71°32'55" WEST, 400.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 9TH STREET;

(9) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°30'00" EAST, 420.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF "F" STREET;

(10) THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ITS WESTERLY PROLONGATION, NORTH 72°06'45" WEST, 800.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 7TH STREET AS SHOWN ON A PARCEL MAP FILED IN BOOK 120, PAGE 10, OF PARCEL MAPS, RECORDS OF SAID COUNTY;

(11) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°19'02" EAST, 580.00 FEET;

(12) THENCE NORTH 40°07'56" EAST, 34.84 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 347.00 FEET, AS SHOWN ON SAID PARCEL MAP;

(13) THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF

64°56'51", AN ARC DISTANCE OF 393.34 FEET;

(14) THENCE NORTH 81°33'29" EAST, 60.44 FEET, TO THE MOST NORTHEASTERLY CORNER OF PARCEL A, OF SAID PARCEL MAP;

(15) THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL A, NORTH 71°33'53" WEST, 30.45 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC RAILROAD, AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 51, PAGE 10, OF RECORDS OF SURVEYS, RECORDS OF SAID COUNTY;

(16) THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, NORTH 78°44'26" EAST, 184.38 FEET, TO A POINT ON THE CENTERLINE OF 8TH STREET AS SHOWN ON SAID RECORD OF SURVEY;

(17) THENCE NORTHERLY ALONG SAID CENTERLINE OF 8TH STREET, NORTH 18°20'04" EAST, 2.91 FEET;

(18) THENCE NORTH 78°44'26" EAST, 459.20 FEET, TO A POINT ON THE CENTERLINE OF 9TH STREET AS SHOWN ON SAID RECORD OF SURVEY;

(19) THENCE NORTHERLY ALONG SAID CENTERLINE OF 9TH STREET, NORTH 18°16'26" EAST, 13.22 FEET;

(20) THENCE NORTH 78°44'26" EAST, 93.14 FEET;

(21) THENCE NORTH 71°39'20" EAST, 32.04 FEET;

(22) THENCE NORTH 74°47'23" EAST, 165.45 FEET;

(23) THENCE NORTH 81°47'13" EAST, 91.61 FEET;

(24) THENCE NORTH 84°27'01" EAST, 83.62 FEET, TO A POINT ON THE CENTERLINE OF 10TH STREET;

(25) THENCE NORTHERLY ALONG SAID CENTERLINE OF 10TH STREET, NORTH 18°20'40" EAST, 42.10 FEET;

(26) THENCE SOUTH 82°18'34" EAST, 40.70 FEET;

(27) THENCE NORTH 79°18'07" EAST, 46.26 FEET;

(28) THENCE NORTH 84°52'06" EAST, 174.68 FEET;

(29) THENCE NORTH 69°11'12" EAST, 59.50 FEET;

(30) THENCE SOUTH 84°24'44" EAST, 67.86 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 11TH STREET;

(31) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°27'07" EAST, 16.28 FEET;

(32) THENCE SOUTH 71°32'53" EAST, 40.00 FEET, TO A POINT ON THE CENTERLINE OF SAID 11TH STREET;

(33) THENCE NORTHERLY ALONG SAID CENTERLINE OF 11TH STREET, NORTH 18°27'07" EAST, 62.81 FEET, TO A POINT ON THE CENTERLINE OF "B" STREET;

(34) THENCE EASTERLY ALONG SAID CENTERLINE OF "B" STREET, SOUTH 71°38'41" EAST, 401.01 FEET, TO A POINT ON THE CENTERLINE OF 12TH STREET AS SHOWN ON SAID RECORD OF SURVEY;

(35) THENCE NORTHERLY ALONG SAID CENTERLINE OF 12TH STREET, NORTH 18°26'40" EAST, 842.52 FEET, TO THE CENTERLINE OF NORTH "B" STREET;

(36) THENCE WESTERLY ALONG SAID CENTERLINE OF NORTH "B" STREET, NORTH 71°39'03" WEST, 2,016.88 FEET, TO A POINT ON THE CENTERLINE OF 7TH STREET;

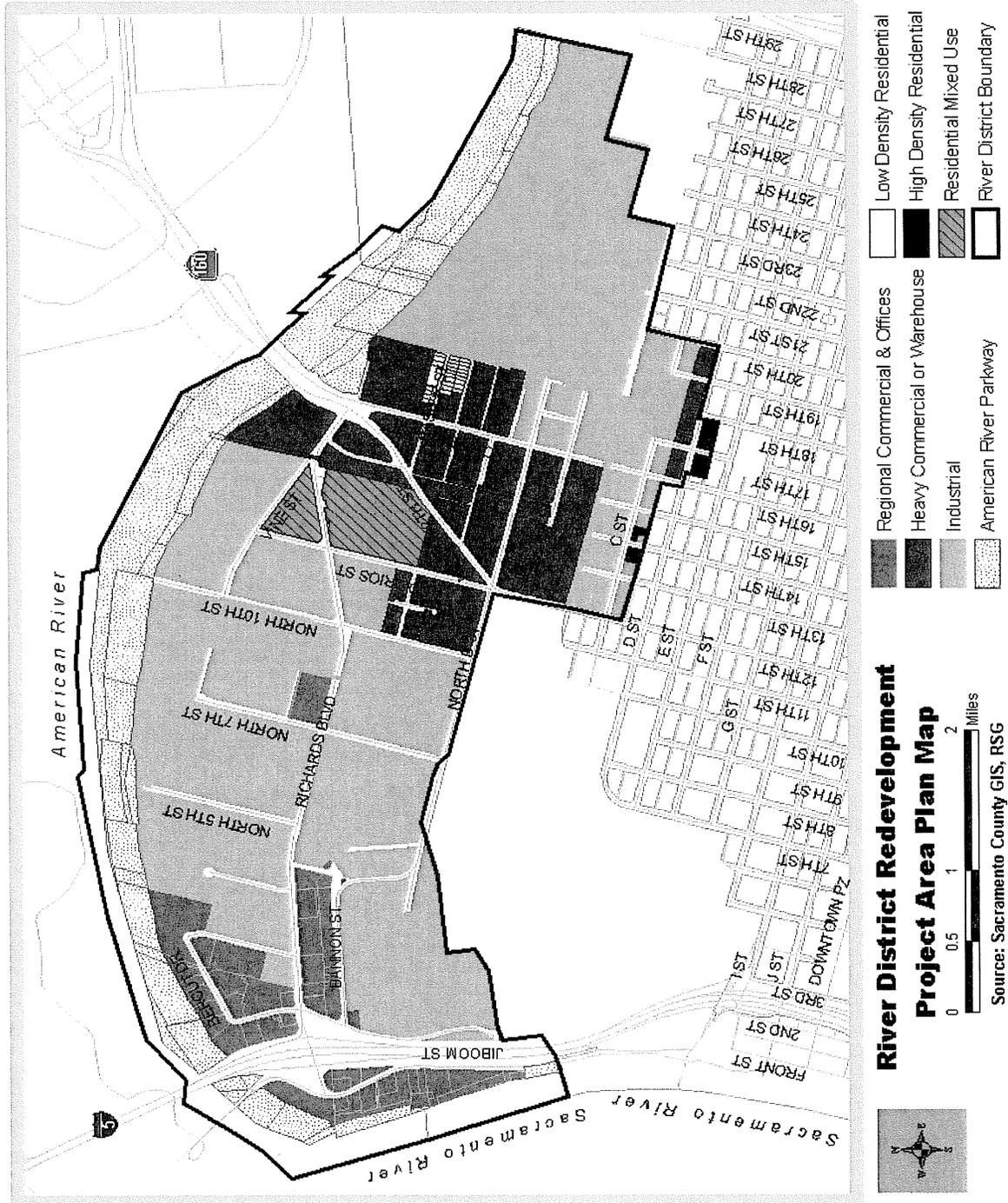
(37) THENCE NORTHERLY ALONG THE CENTERLINE OF 7TH STREET, NORTH 18°15'57" EAST, 40.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NORTH "B" STREET;

- (38) THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOLLOWING ALL OF ITS VARIOUS COURSES, 914.00 FEET;
- (39) THENCE SOUTH 21°10'36" WEST, 55.89 FEET;
- (40) THENCE SOUTH 83°22'17" WEST, 808.60 FEET;
- (41) THENCE SOUTH 89°35'01" WEST, 488.40 FEET;
- (42) THENCE SOUTH 00°24'59" EAST, 347.74 FEET;
- (43) THENCE SOUTH 72°22'30" WEST, 192.56 FEET;
- (44) THENCE SOUTH 83°14'45" WEST, 849.81 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 5;
- (45) THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 02°54'31" WEST, 106.93 FEET;
- (46) THENCE SOUTH 04°20'18" EAST, 258.98 FEET, TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 200.00 FEET;
- (47) THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°18'52", AN ARC DISTANCE OF 172.14 FEET;
- (48) THENCE SOUTH 83°57'15" WEST, 691.00 FEET, TO A POINT ON THE CENTERLINE OF THE SACRAMENTO RIVER;
- (49) THENCE SOUTHERLY ALONG SAID CENTERLINE OF THE SACRAMENTO RIVER FOLLOWING ALL OF ITS VARIOUS COURSES 1,050.00 FEET TO THE **POINT OF BEGINNING**.

PROJECT AREA CONTAINS: 298 ACRES, MORE OR LESS.

**ATTACHMENT NO. 3 TO THE
 SEVENTH (7TH) AMENDMENT TO THE REDEVELOPMENT PLAN
 FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT**

**EXHIBIT "A"
 RIVER DISTRICT REDEVELOPMENT PROJECT AREA
 PLAN MAP (AMENDED 2008)**



**ATTACHMENT NO. 4 TO THE
SEVENTH (7TH) AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT**

**EXHIBIT "B"
RIVER DISTRICT REDEVELOPMENT PROJECT
LEGAL DESCRIPTION OF PROJECT AREA (AMENDED 2008)**

ALL THAT CERTAIN LAND SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF "B" STREET AND THE CENTERLINE OF 12TH STREET AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 51, PAGE 10, OF RECORDS OF SURVEYS, RECORDS OF SAID COUNTY;

- (1) THENCE NORTHERLY ALONG SAID CENTERLINE OF 12TH STREET, NORTH 18°26'40" EAST, 842.52 FEET, TO THE CENTERLINE OF NORTH "B" STREET;
- (2) THENCE WESTERLY ALONG SAID CENTERLINE OF NORTH "B" STREET, NORTH 71°39'03" WEST, 2,016.88 FEET, TO A POINT ON THE CENTERLINE OF 7TH STREET;
- (3) THENCE NORTHERLY ALONG THE CENTERLINE OF 7TH STREET NORTH 18°15'57" EAST, 40.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NORTH "B" STREET;
- (4) THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOLLOWING ALL OF ITS VARIOUS COURSES, 914.00 FEET;
- (5) THENCE SOUTH 21°10'36" WEST, 55.89 FEET;
- (6) THENCE SOUTH 83°22'17" WEST, 808.60 FEET;
- (7) THENCE SOUTH 89°35'016" WEST, 488.40 FEET;
- (8) THENCE SOUTH 00°24'59" EAST, 347.74 FEET;
- (9) THENCE SOUTH 72°22'30" WEST, 192.56 FEET;
- (10) THENCE SOUTH 83°14'45" WEST, 849.81 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 5;
- (11) THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 02°54'31" WEST, 106.93 FEET;
- (12) THENCE SOUTH 04°20'18" EAST, 258.98 FEET, TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 200.00 FEET;
- (13) THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°18'52", AN ARC DISTANCE OF 172.14 FEET;
- (14) THENCE SOUTH 83°57'15" WEST, 691.00 FEET, TO A POINT ON THE CENTERLINE OF THE SACRAMENTO RIVER;
- (15) THENCE NORTHERLY ALONG THE CENTERLINE OF THE SACRAMENTO RIVER FOLLOWING ALL OF ITS VARIOUS COURSES TO THE CENTERLINE OF THE AMERICAN RIVER;
- (16) THENCE EASTERLY ALONG THE CENTERLINE OF SAID AMERICAN RIVER FOLLOWING ALL OF ITS VARIOUS COURSES TO A POINT ON THE NORTHERLY PROLONGATION OF A LINE BEING PARALLEL WITH AND 936.08 FEET SOUTHEAST OF THE CENTERLINE OF 25TH STREET;
- (17) THENCE SOUTHERLY ALONG SAID PARALLEL LINE TO A POINT ON A LINE BEING PARALLEL WITH AND 447.76 FEET NORTHEAST OF THE CENTERLINE OF "A" STREET;
- (18) THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 936.08 FEET, TO A POINT ON THE CENTERLINE OF 25TH STREET;
- (19) THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF 25TH STREET, 447.76 FEET, TO A POINT ON THE CENTERLINE OF SAID "A" STREET;
- (20) THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF "A" STREET TO THE CENTERLINE OF 23RD STREET;
- (21) THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF 23RD STREET TO THE SOUTHERLY BOUNDARY OF THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY;
- (22) THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE

CENTERLINE OF 20TH STREET;

(23) THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF 20TH STREET TO THE CENTERLINE OF "D" STREET;

(24) THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF "D" STREET TO THE CENTERLINE OF 18TH STREET;

(25) THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF 18TH STREET TO THE CENTERLINE OF AN ALLEY BETWEEN "D" AND "E" STREETS;

(26) THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO A POINT ON A LINE BEING PARALLEL WITH AND 120 FEET SOUTHEASTERLY OF THE CENTERLINE OF 16TH STREET;

(27) THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE TO A POINT ON THE CENTERLINE OF "D" STREET;

(28) THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF "D" STREET TO A POINT ON THE CENTERLINE OF 16TH STREET;

(29) THENCE NORTHERLY ALONG SAID CENTERLINE OF 16TH STREET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF AN ALLEY BETWEEN SAID "C" AND "D" STREETS;

(30) THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 12TH STREET;

(31) THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE CENTERLINE OF 11TH STREET;

(32) THENCE WESTERLY ALONG SAID CENTERLINE OF 11TH STREET TO THE **POINT OF BEGINNING.**

PROJECT AREA CONTAINS: 1,068 ACRES, MORE OR LESS.

Attachment 2

**REDEVELOPMENT PLAN
FOR THE
RAILYARDS REDEVELOPMENT PROJECT**

Prepared by the
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

TABLE OF CONTENTS

	<u>Page</u>
I. [§100] INTRODUCTION	1
II. [§200] DESCRIPTION OF PROJECT AREA	2
III. [§300] PROPOSED REDEVELOPMENT ACTIONS	2
A. [§301] General	2
B. [§302] Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Project Area	3
1. [§303] Opportunities for Owners and Business Occupants	3
2. [§304] Rules for Participation Opportunities, Priorities, and Preferences	3
3. [§305] Participation Agreements	4
4. [§306] Conforming Owners	4
C. [§307] Cooperation with Public Bodies	4
D. [§308] Property Acquisition	5
1. [§309] Real Property	5
2. [§310] Personal Property	5
E. [§311] Property Management	6
F. [§312] Payments to Taxing Agencies	6
G. [§313] Relocation of Persons, Business Concerns, and Others Displaced by the Project	6
1. [§314] Assistance in Finding Other Locations	6
2. [§315] Relocation Payments	6
H. [§316] Demolition, Clearance, and Building and Site Preparation	7
1. [§317] Demolition and Clearance	7
2. [§318] Preparation of Building Sites	7

	<u>Page</u>
I. [§319] Property Disposition and Development	7
1. [§320] Real Property Disposition and Development.....	7
a. [§321] General	7
b. [§322] Disposition and Development Documents	8
c. [§323] Public Improvements.....	8
d. [§324] Development Plans	9
2. [§325] Personal Property Disposition.....	9
J. [§326] Rehabilitation, Conservation, and Moving of Structures	9
1. [§327] Rehabilitation and Conservation	9
2. [§328] Moving of Structures.....	9
K. [§329] Low- and Moderate-Income Housing.....	9
L. [§330] Replacement Housing.....	10
M. [§331] Inclusionary Housing.....	10
IV. [§400] USES PERMITTED IN THE PROJECT AREA.....	10
A. [§401] Redevelopment Land Use Map	10
B. [§402] Other Land Uses.....	10
1. [§403] Public Rights-of-Way	10
2. [§404] Other Public, Semi-Public, Institutional, and Nonprofit Uses	11
3. [§405] Interim Uses	11
4. [§406] Nonconforming Uses	11
C. [§407] General Controls and Limitations	12
1. [§408] Construction	12
2. [§409] Rehabilitation and Retention of Properties.....	12

	<u>Page</u>
3. [§410] Limitation on the Number of Buildings.....	12
4. [§411] Number of Dwelling Units	12
5. [§412] Limitation on Type, Size, and Height of Buildings	12
6. [§413] Open Spaces, Landscaping, Light, Air, and Privacy.....	13
7. [§414] Signs	13
8. [§415] Utilities.....	13
9. [§416] Incompatible Uses	13
10. [§417] Nondiscrimination and Nonsegregation	13
11. [§418] Subdivision of Parcels	13
12. [§419] Minor Variations.....	13
D. [§420] Design for Development.....	14
E. [§421] Building Permits	14
V. [§500] METHODS OF FINANCING THE PROJECT	15
A. [§501] General Description of the Proposed Financing Method.....	15
B. [§502] Tax Increment Funds	15
C. [§503] Agency Bonds.....	17
D. [§504] Time Limit to Establish Indebtedness	17
E. [§505] Time Limit to Receive Tax Increment and Repay Indebtedness.....	17
F. [§506] Other Loans and Grants.....	18
VI. [§600] ACTIONS BY THE CITY	18
VII. [§700] ENFORCEMENT	19
VIII. [§800] DURATION OF THIS PLAN.....	19

Page

IX. [§900] PROCEDURE FOR AMENDMENT..... 19

Attachments

Attachment No. 1	Legal Description of the Project Area Boundaries
Attachment No. 2	Project Area Map
Attachment No. 3	Redevelopment Land Use Map
Attachment No. 4	Proposed Public Improvements and Facilities

REDEVELOPMENT PLAN
FOR THE
RAILYARDS REDEVELOPMENT PROJECT

I. [§100] INTRODUCTION

This is the Redevelopment Plan (the “Plan”) for the Railyards Redevelopment Project (the “Project”) in the City of Sacramento (the “City”), County of Sacramento, State of California. This Plan consists of the text, the Legal Description of the Project Area Boundaries (Attachment No. 1), the Project Area Map (Attachment No. 2), the Redevelopment Land Use Map (Attachment No. 3), and the Proposed Public Improvements and Facilities (Attachment No. 4). This Plan was prepared by the Redevelopment Agency of the City of Sacramento (the “Agency”) pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*), the California Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the area within the boundaries of the Project (the “Project Area”) as described in this Plan conforms to the General Plan for the City of Sacramento (the “General Plan”), adopted by the City Council of the City of Sacramento (the “City Council”) on January 19, 1988.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission of the City of Sacramento (the “Planning Commission”) by a Record of Decision and Findings of Fact, as adopted on July 26, 2007.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the Project Area. Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed and by which tools are provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions.

The purposes of the Community Redevelopment Law will be attained through, and the major goals of this Plan are:

- A. Eliminate blighting influences and correct environmental deficiencies in the Project Area, including, among others, buildings in which it is unsafe or unhealthy for persons to live or work, conditions that substantially hinder the viable use and capacity of buildings and lots, impaired investments, high business vacancies, and inadequate or deteriorated public improvements, facilities, and utilities;
- B. Strengthen the economic and employment base of the Project Area and the community by removing impediments to and encouraging new

residential and commercial development and other private investment;

- C. Improve public facilities and infrastructure, including providing adequate access to and within the Project Area and infrastructure that meets modern health and safety standards, provide adequate land for parks and open spaces, and promote an overall environment for social and economic growth;
- D. Implement design and use standards to assure high aesthetic and environmental quality and provide unity and integrity to developments within the Project Area, preserving historic resources where feasible and promoting public transit access and use;
- E. Encourage the cooperation and participation of residents, businesses, public agencies and community organizations in the redevelopment and revitalization of the Project Area; and
- F. Increase, improve and preserve the community's supply of housing available to extremely low, very low, low and moderate income persons and families.

II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area are described in the "Legal Description of the Project Area Boundaries," attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Project Area Map," attached hereto as Attachment No. 2 and incorporated herein by reference.

III. [§300] PROPOSED REDEVELOPMENT ACTIONS

A. [§301] General

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Project Area by:

1. Providing for participation by owners and tenants presently located in the Project Area and the extension of preferences to business occupants and other tenants desiring to remain or relocate within the redeveloped Project Area;
2. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
3. The installation, construction, or reconstruction of streets, utilities, and other public improvements;
4. The demolition or removal of certain buildings and improvements;
5. The acquisition of certain real property and the assembly of

adequate sites for the development and construction of residential and commercial facilities;

6. The management of any property acquired by and under the ownership and control of the Agency;
7. Providing relocation assistance to displaced Project Area occupants;
8. The disposition of property for uses in accordance with this Plan;
9. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan; and
10. The rehabilitation, development or construction of low and moderate income housing within the Project Area and/or the City.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

B. [§302] Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Project Area

1. [§303] Opportunities for Owners and Business Occupants

In accordance with this Plan and the rules for participation adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Project Area shall be given a reasonable opportunity to participate in the redevelopment of the Project Area consistent with the objectives of this Plan. Property owners do not, however, have an absolute right to participate in the redevelopment of their property in the Project Area.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to remain or reenter into business within the redeveloped Project Area if they otherwise meet the requirements prescribed in this Plan and the rules adopted by the Agency.

2. [§304] Rules for Participation Opportunities, Priorities, and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency shall promulgate rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Project Area.

3. [\$305] Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, participants may be required to join in the recordation of such documents as may be necessary to ensure the property will be developed and used in accordance with this Plan and the participation agreement. 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.

In the event a participant fails or refuses to rehabilitate, develop, and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

4. [\$306] Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan. However, a conforming owner shall 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.

C. [\$307] Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this 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, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which 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. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. To the extent now or hereafter permitted by law, the Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements (within or without the Project

Area), which land, buildings, facilities, structures, or other improvements are or would be of benefit to the Project.

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date of adoption of this Plan.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization, or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape, or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions, and requirements of this Plan and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed, unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

2. [§310] Personal Property

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

E. [§311] 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 rented or leased by the Agency pending its disposition for redevelopment, and such rental or

lease shall be pursuant to such policies as the Agency may adopt.

F. [§312] Payments to Taxing Agencies

Pursuant to Section 33607.5 of the Community Redevelopment Law, the Agency is required to and shall make payments to affected taxing entities to alleviate the financial burden and detriment that the affected taxing entities may incur as a result of the adoption of this Plan. The payments made by the Agency shall be calculated and paid in accordance with the requirements of Section 33607.5.

In any year during which it owns property in the Project Area, the Agency is authorized, but not required, to pay directly to any city, county, city and county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

G. [§313] Relocation of Persons, Business Concerns,
and Others Displaced by the Project

1. [§314] Assistance in Finding Other Locations

The Agency shall assist all persons, business concerns, and others displaced by the Project in finding other locations and facilities. 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 that are within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

2. [§315] Relocation Payments

The Agency shall make relocation payments to persons, business concerns, 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.

H. [§316] Demolition, Clearance, and Building and Site Preparation

1. [§317] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

2. [§318] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the

Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, playgrounds, and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, industrial, public, and other uses provided for in this Plan.

Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities, or other improvements which an owner or operator of the site would otherwise be obliged to provide.

- I. [§319] Property Disposition and Development
 1. [§320] Real Property Disposition and Development
 - a. [§321] General

For the purposes of this Plan, 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. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding. Property acquired by the Agency for rehabilitation and resale shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project Area, without charge to any public body. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

All purchasers or lessees of property acquired from the Agency 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.

- b. [§322] Disposition and Development Documents

To provide adequate safeguards to ensure 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, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements, and declarations of

restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Sacramento County.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law, in particular, Sections 33435 and 33436 of the Community Redevelopment Law.

c. [\$323] Public Improvements

To the extent now or hereafter permitted by law, in particular, Section 33445 of the Community Redevelopment Law, the Agency is authorized to pay for, develop, or construct any publicly-owned building, facility, structure, or other improvement either within or without the Project Area, for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and other improvements identified in Attachment No. 4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefor, subject to obtaining any required consent of the City Council and the making of applicable findings by the Agency and/or the City Council.

In addition to the public improvements authorized under Section 318 and the specific publicly-owned improvements identified in Attachment No. 4 of this Plan, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or without the Project Area, for itself or for any public body or entity for the benefit of the Project Area, public improvements and public utilities, including, but not limited to, the following: (1) over- and underpasses; (2) sewers; (3) natural gas distribution systems; (4) water distribution systems; (5) parks, plazas, and pedestrian paths; (6) playgrounds; (7) parking facilities; (8) landscaped areas; and (9) street improvements.

The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 323, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan or out of any other available funds.

d. [\$324] Development Plans

All development plans (whether public or private) shall be subject to Agency approval. All development in the Project Area must conform to City design review standards.

2. [\$325] Personal Property Disposition

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

J. [\$326] Rehabilitation, Conservation, and Moving of Structures

1. [\$327] Rehabilitation and Conservation

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 assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

2. [\$328] Moving of Structures

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

K. [\$329] Low- and Moderate-Income Housing

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law and Section 502 of this Plan 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 very low, low, or moderate income unless certain findings are made as required by that section to lessen or exempt such requirement. In carrying out this purpose, the Agency may exercise any or all of its powers.

The funds for this purpose shall be held in a separate Low and Moderate Income Housing Fund until used. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Fund.

L. [\$330] Replacement Housing

Pursuant to and to the extent required by Section 33413 of the Community Redevelopment Law, 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 that 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 the destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or for sale to persons and families of low or moderate income, an equal number of replacement dwelling units that have an equal or greater number of bedrooms as those destroyed or removed units, and which shall be available at affordable housing cost 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.

M. [§331] Inclusionary Housing

Pursuant to and to the extent required by Section 33413 of the Community Redevelopment Law, a percentage of the dwelling units (1) developed by the Agency or (2) developed within the Project Area by public or private entities or persons other than the Agency, shall be made available at affordable housing cost to, and occupied by, persons and families of low or moderate income, including very low income households.

IV. [§400] USES PERMITTED IN THE PROJECT AREA

A. [§401] Redevelopment Land Use Map

The “Redevelopment Land Use Map,” attached hereto as Attachment No. 3 and incorporated herein by reference, illustrates the location of the Project Area boundaries, major streets within the Project Area, and the land uses authorized within the Project by the City’s current General Plan. The City will from time to time update and revise the General Plan. It is the intention of this Redevelopment Plan that the land uses to be permitted within the Project Area shall be as provided within the City’s General Plan, as it currently exists or as it may from time to time be amended, and as implemented and applied by City ordinances, resolutions and other laws.

B. [§402] Other Land Uses

1. [§403] Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment No. 3), the major public streets within the Project Area include: Interstate 5, North B Street, F Street, G Street, H Street, I Street, 5th Street, 6th Street, 7th Street, 8th Street and 9th Street.

Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development. Existing streets, alleys, and easements may be abandoned, closed, or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the General Plan, the objectives of this Plan, and the City’s design standards, shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:

- a. The requirements imposed by such factors as topography, traffic safety and aesthetics; and

- b. The potential need to serve not only the Project Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement; and
- c. The potential need or desire to accommodate the facilities and/or equipment of mass transportation modes.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

2. [\$404] Other Public, Semi-Public, Institutional, and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Attachment No. 3), the Agency is authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way, and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

3. [\$405] Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan.

4. [\$406] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be 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 where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

C. [\$407] General Controls and Limitations

All real property in the Project Area is 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, except in conformance with the provisions of this Plan.

1. [§408] Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area.

2. [§409] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§410] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under the General Plan.

4. [§411] Number of Dwelling Units

The number of dwelling units permitted in the Project Area shall not exceed the number of dwelling units permitted under the General Plan.

5. [§412] Limitation on Type, Size, and Height of Buildings

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances, and regulations.

6. [§413] Open Spaces, Landscaping, Light, Air, and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

7. [§414] Signs

All signs shall conform to City sign ordinances and other requirements as

they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Agency and/or the City prior to installation for review and approval pursuant to the procedures of this Plan.

8. [§415] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

9. [§416] Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, as determined by the Agency, would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

10. [§417] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

11. [§418] Subdivision of Parcels

The consolidation, subdivision or re-subdivision of any parcel in the Project Area, including any parcel retained by a participant, shall be subject to the approval of the Agency.

12. [§419] Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and

- d. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan.

No variation shall be granted which changes a basic land use or which 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.

D. [\$420] Design for Development

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property, in the discretion of the Agency, in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. 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. The Agency shall not approve any plans that do not comply with this Plan.

E. [\$421] Building Permits

No permit shall be issued for the construction of any new building or for any addition, moving, conversion or alteration to an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been processed in the manner provided herein below. Any permit that is issued hereunder must be in conformance with the provisions of this Plan, any Design Guide adopted by the Agency, any restrictions or controls established by resolution of the Agency, and any applicable participation or other agreement.

Upon receipt of such an application, the City's Building Department shall refer the application to the Community Development Director for review and a determination whether the proposed project is in conformance with the provisions of this Plan and/or any applicable standards or requirements adopted pursuant to this Plan. In the case of an application pertaining to the construction or rehabilitation of dwelling units, review by the Community Development Director shall consider compliance with inclusionary housing requirements set forth in Section 331 of this Plan. The Community Development Director may, in his/her discretion, indicate that the proposed project is in conformance, that the proposed project is not in conformance, that the proposed project can be made to be in conformance by granting the permit with conditions, or refer the application to the Agency. The Community Development Director shall complete his/her review of the application and take one of the foregoing actions

within thirty (30) days after receipt of the application.

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been granted all approvals required by the City and the Agency at the time of application.

V. [§500] METHODS OF FINANCING THE PROJECT

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, the State of California, the federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds, issue bonds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, bonds and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for administration of this Project may be provided by the City or any other available source, public or private, until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City. The City, as it is able, may also supply additional assistance through the issuance of bonds, loans and grants and in-kind assistance.

The City or any other public agency may expend money to assist the Agency in carrying out this Project. As available, gas tax funds or other legally available funds from the state and county may be used for street improvements and public transit facilities.

B. [§502] Tax Increment Funds

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State of California, the County of Sacramento, the City, any district, or any other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project 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 of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project 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 Sacramento, last equalized on the effective date of said ordinance, shall be used in determining the assessed valuation of the taxable property in the Project on said effective date).

2. Except as provided in subdivision 3, below, that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.
3. That portion of the taxes in excess of the amount identified in subdivision 1, above, which are attributable to a tax rate levied by a taxing agency which was approved by the voters of the taxing agency on or after January 1, 1989, for the purpose of producing 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.

The portion of taxes mentioned in subdivision 2, above, 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.

C. [\$503] Agency Bonds

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes described in subdivision 2 of Section 502 above which can be outstanding at any one time shall not exceed \$500,000,000.00.

D. [\$504] Time Limit to Establish Indebtedness

The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the date of adoption of this Plan. Loans, advances, or indebtedness may be repaid over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund, or establishing more debt in order to fulfill the Agency's housing obligations under subdivision (a) of Section 33333.8 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth in Section 505 below.

E. [\$505] Time Limit to Receive Tax Increment and Repay Indebtedness

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 Project Area pursuant to Section 33670 of the Community Redevelopment Law and Section 502 of this Plan beyond forty-five (45) years from the date of adoption of this Plan. After the expiration of this time limit, the Agency may not receive such property taxes, except in order to fulfill the Agency's housing obligations under subdivision (a) of Section 33333.8 of the Community Redevelopment Law.

F. [\$506] Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of California, or any other public or private source will be utilized if available.

VI. [\$600] ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

- A. 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 shall include the requirement of abandonment, removal,

and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal, and relocation to be borne by others than those legally required to bear such cost.

- B. Provision of advances, loans, or grants to the Agency or the expenditure of funds for projects implementing this Plan as deemed appropriate by the City and to the extent funds are available therefor.
- C. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
- D. Revision of zoning or adoption of specific plans, as appropriate, within the Project Area to permit the land uses and development authorized by this Plan.
- E. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- F. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- G. Preservation of historical sites.
- H. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- I. Provision of services and facilities and the various officials, offices, and departments of the City for the Agency's purposes under this Plan.
- J. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the City do not involve or constitute any commitment for financial outlays by the City unless specifically agreed to and authorized by the City.

VII. [§700] ENFORCEMENT

The administration 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.

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, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

VIII. [§800] DURATION OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, and the affordable housing covenants imposed by the Agency which shall continue for the period specified by the Agency, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years from the date of adoption of this Plan; provided, however, that subject to the limitations set forth in Sections 504 and 505 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the termination of this Plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts.

IX. [§900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Sections 33354.6 and/or 33450 et seq. of the Community Redevelopment Law or by any other procedure hereafter established by law.

ATTACHMENT NO. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARIES

ALL THAT CERTAIN LAND SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF SACRAMENTO RIVER AND THE "I" STREET BRIDGE;

- (1) THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID "I" STREET BRIDGE, SOUTH 56°28'51" EAST, 1,318.00 FEET, TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF CAMELLIA PLACE AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 26, PAGE 18, OF RECORDS OF SURVEYS, RECORDS OF SAID COUNTY;
- (2) THENCE EASTERLY ALONG SAID WESTERLY PROLONGATION AND NORTHERLY LINE, SOUTH 71°32'48" EAST, 516.54 FEET;
- (3) THENCE CONTINUING EASTERLY ALONG SAID NORTHERLY LINE, SOUTH 71°30'19" EAST, 401.91 FEET, TO A POINT ON THE CENTERLINE OF 5TH STREET AS SHOWN ON SAID RECORD OF SURVEY;
- (4) THENCE NORTHERLY ALONG SAID CENTERLINE OF 5TH STREET, NORTH 18°26'34" EAST, 220.73 FEET, TO THE CENTERLINE OF "H" STREET;
- (4A) THENCE EASTERLY ALONG SAID CENTERLINE OF "H" STREET, SOUTH 71°33'22" EAST, 400.72 FEET, TO THE CENTERLINE OF 6TH STREET;
- (5) THENCE SOUTHERLY ALONG SAID CENTERLINE OF 6TH STREET, SOUTH 18°28'08" WEST, 419.98 FEET, TO THE CENTERLINE OF "I" STREET;
- (6) THENCE EASTERLY ALONG SAID CENTERLINE OF "I" STREET, SOUTH 71°30'52" EAST, 1,560.00 FEET, TO A POINT ON THE SOUTHERLY PROLONGATION OF THE WESTERLY RIGHT-OF-WAY LINE OF 10TH STREET;
- (7) THENCE NORTHERLY ALONG SAID SOUTHERLY PROLONGATION AND WESTERLY RIGHT-OF-WAY LINE, NORTH 18°30'00" EAST, 800.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF "G" STREET;
- (8) THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 71°32'55" WEST, 400.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 9TH STREET;
- (9) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°30'00" EAST, 420.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF "F" STREET;
- (10) THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ITS WESTERLY PROLONGATION, NORTH 72°06'45" WEST, 800.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 7TH STREET AS SHOWN ON A PARCEL MAP FILED IN BOOK 120, PAGE 10, OF PARCEL MAPS, RECORDS OF SAID COUNTY;
- (11) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°19'02" EAST, 580.00 FEET;
- (12) THENCE NORTH 40°07'56" EAST, 34.84 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 347.00 FEET, AS SHOWN ON SAID PARCEL MAP;
- (13) THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°56'51", AN ARC DISTANCE OF 393.34 FEET;

- (14) THENCE NORTH 81°33'29" EAST, 60.44 FEET, TO THE MOST NORTHEASTERLY CORNER OF PARCEL A, OF SAID PARCEL MAP;
- (15) THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL A, NORTH 71°33'53" WEST, 30.45 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC RAILROAD, AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 51, PAGE 10, OF RECORDS OF SURVEYS, RECORDS OF SAID COUNTY;
- (16) THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, NORTH 78°44'26" EAST, 184.38 FEET, TO A POINT ON THE CENTERLINE OF 8TH STREET AS SHOWN ON SAID RECORD OF SURVEY;
- (17) THENCE NORTHERLY ALONG SAID CENTERLINE OF 8TH STREET, NORTH 18°20'04" EAST, 2.91 FEET;
- (18) THENCE NORTH 78°44'26" EAST, 459.20 FEET, TO A POINT ON THE CENTERLINE OF 9TH STREET AS SHOWN ON SAID RECORD OF SURVEY;
- (19) THENCE NORTHERLY ALONG SAID CENTERLINE OF 9TH STREET, NORTH 18°16'26" EAST, 13.22 FEET;
- (20) THENCE NORTH 78°44'26" EAST, 93.14 FEET;
- (21) THENCE NORTH 71°39'20" EAST, 32.04 FEET;
- (22) THENCE NORTH 74°47'23" EAST, 165.45 FEET;
- (23) THENCE NORTH 81°47'13" EAST, 91.61 FEET;
- (24) THENCE NORTH 84°27'01" EAST, 83.62 FEET, TO A POINT ON THE CENTERLINE OF 10TH STREET;
- (25) THENCE NORTHERLY ALONG SAID CENTERLINE OF 10TH STREET, NORTH 18°20'40" EAST, 42.10 FEET;
- (26) THENCE SOUTH 82°18'34" EAST, 40.70 FEET;
- (27) THENCE NORTH 79°18'07" EAST, 46.26 FEET;
- (28) THENCE NORTH 84°52'06" EAST, 174.68 FEET;
- (29) THENCE NORTH 69°11'12" EAST, 59.50 FEET;
- (30) THENCE SOUTH 84°24'44" EAST, 67.86 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 11TH STREET;
- (31) THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 18°27'07" EAST, 16.28 FEET;
- (32) THENCE SOUTH 71°32'53" EAST, 40.00 FEET, TO A POINT ON THE CENTERLINE OF SAID 11TH STREET;
- (33) THENCE NORTHERLY ALONG SAID CENTERLINE OF 11TH STREET, NORTH 18°27'07" EAST, 62.81 FEET, TO A POINT ON THE CENTERLINE OF "B" STREET;
- (34) THENCE EASTERLY ALONG SAID CENTERLINE OF "B" STREET, SOUTH 71°38'41" EAST, 401.01 FEET, TO A POINT ON THE CENTERLINE OF 12TH STREET AS SHOWN ON SAID RECORD OF SURVEY;
- (35) THENCE NORTHERLY ALONG SAID CENTERLINE OF 12TH STREET, NORTH 18°26'40" EAST, 842.52 FEET, TO THE CENTERLINE OF NORTH "B" STREET;
- (36) THENCE WESTERLY ALONG SAID CENTERLINE OF NORTH "B" STREET, NORTH 71°39'03" WEST, 2,016.88 FEET, TO A POINT ON THE CENTERLINE OF 7TH STREET;
- (37) THENCE NORTHERLY ALONG THE CENTERLINE OF 7TH STREET, NORTH 18°15'57" EAST, 40.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NORTH "B" STREET;
- (38) THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOLLOWING ALL OF

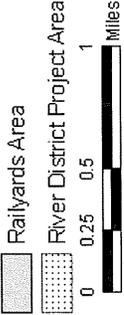
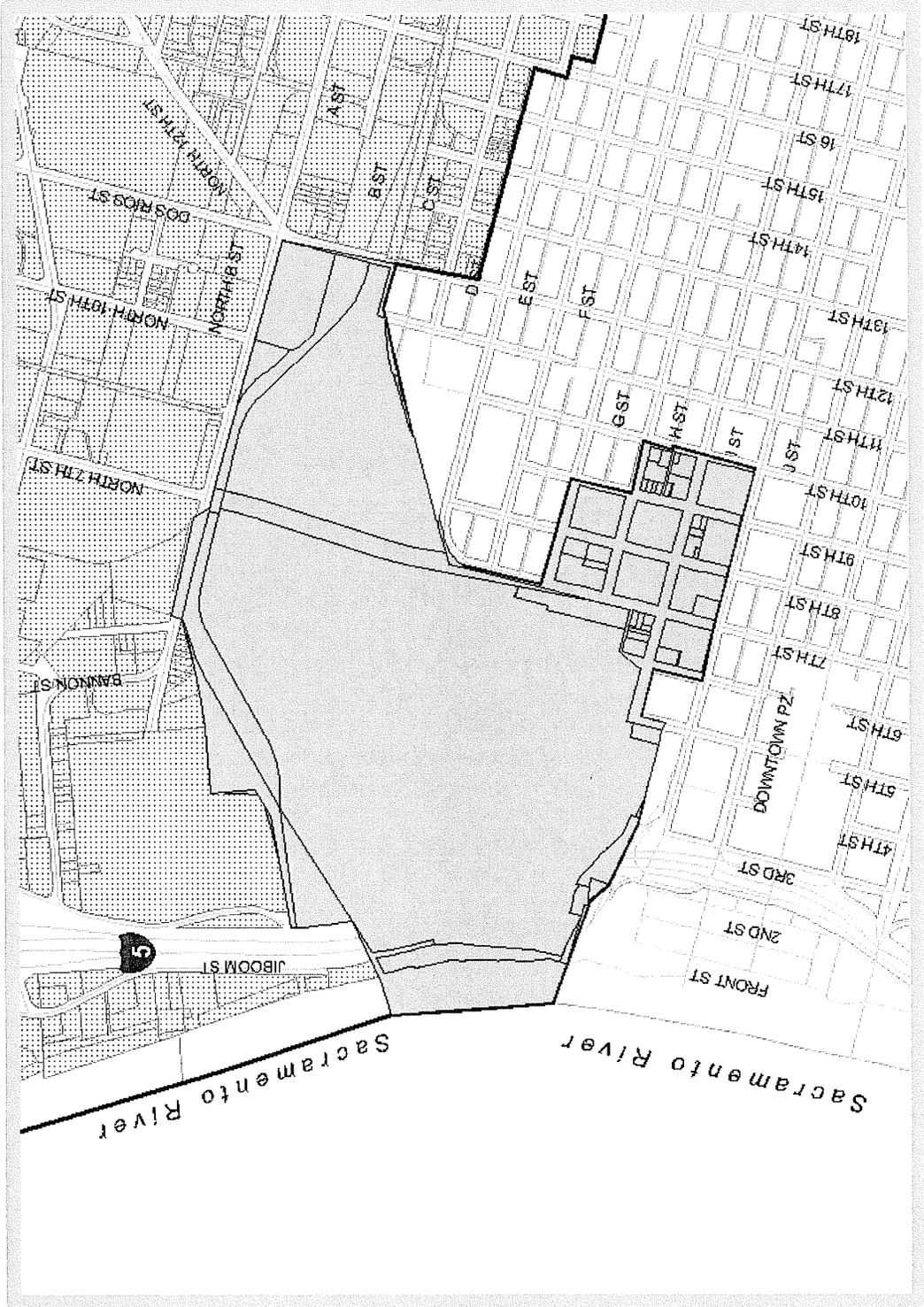
ITS VARIOUS COURSES, 914.00 FEET;

- (39) THENCE SOUTH 21°10'36" WEST, 55.89 FEET;
- (40) THENCE SOUTH 83°22'17" WEST, 808.60 FEET;
- (41) THENCE SOUTH 89°35'01" WEST, 488.40 FEET;
- (42) THENCE SOUTH 00°24'59" EAST, 347.74 FEET;
- (43) THENCE SOUTH 72°22'30" WEST, 192.56 FEET;
- (44) THENCE SOUTH 83°14'45" WEST, 849.81 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 5;
- (45) THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 02°54'31" WEST, 106.93 FEET;
- (46) THENCE SOUTH 04°20'18" EAST, 258.98 FEET, TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 200.00 FEET;
- (47) THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°18'52", AN ARC DISTANCE OF 172.14 FEET;
- (48) THENCE SOUTH 83°57'15" WEST, 691.00 FEET, TO A POINT ON THE CENTERLINE OF THE SACRAMENTO RIVER;
- (49) THENCE SOUTHERLY ALONG SAID CENTERLINE OF THE SACRAMENTO RIVER FOLLOWING ALL OF ITS VARIOUS COURSES 1,050.00 FEET TO THE **POINT OF BEGINNING**.

PROJECT AREA CONTAINS: 298 ACRES, MORE OR LESS.

ATTACHMENT NO. 2

PROJECT AREA MAP



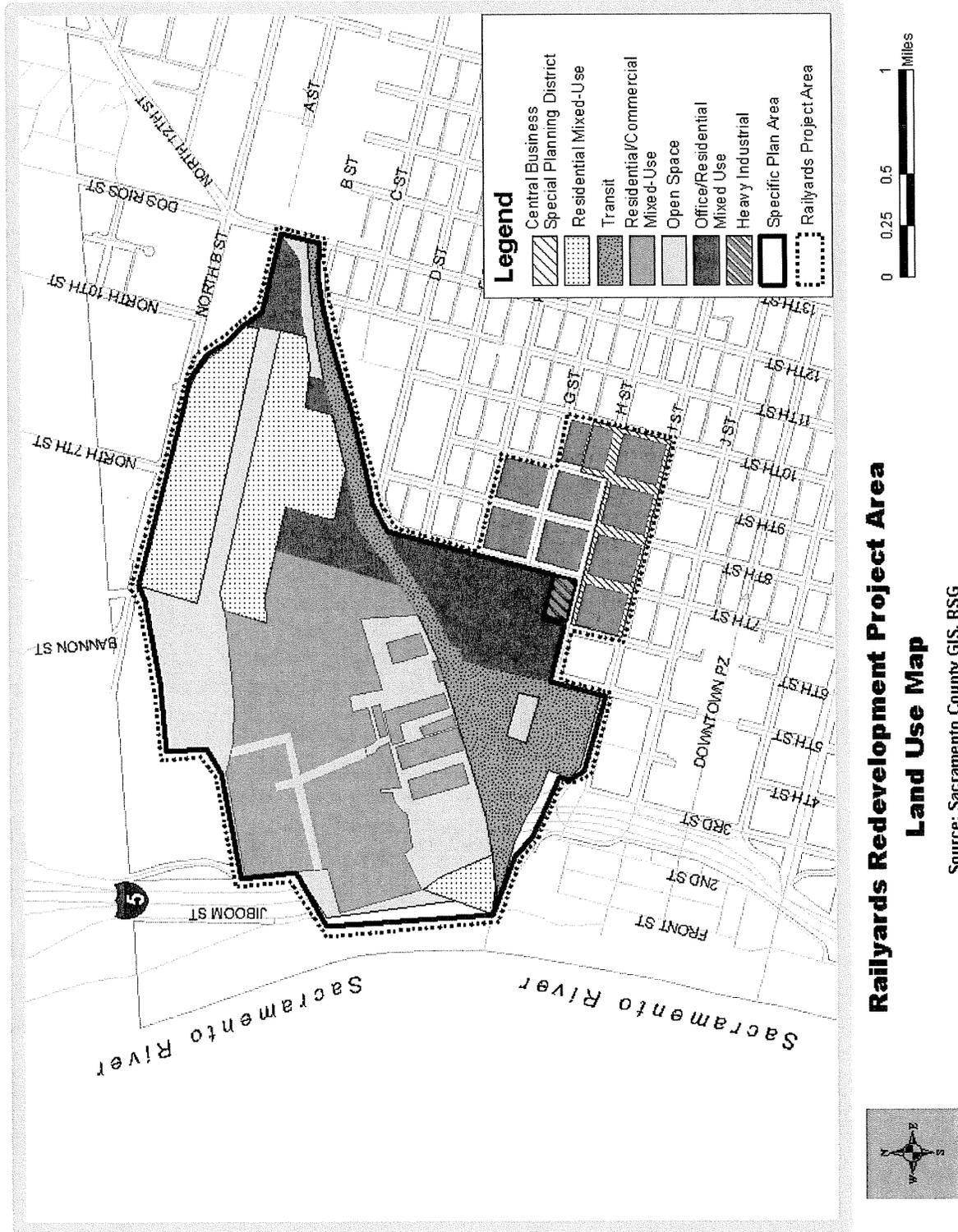
Railyards Redevelopment Project Area

Source: Sacramento County GIS, RSG



ATTACHMENT NO. 3

REDEVELOPMENT LAND USE MAP



ATTACHMENT NO. 4

PROPOSED PUBLIC IMPROVEMENTS AND FACILITIES PROJECTS

The following public improvements and facilities projects may be provided in the Project Area:

1. Traffic/Circulation

- a. The construction, reconstruction, widening or other improvement of streets and roadways within or serving the Project Area;
- b. The installation or modernization of traffic signals on streets and roadways within or serving the Project Area;
- c. The realignment of the levee system within the Project Area to allow cohesiveness, more efficient use of land, more developable area, and better circulation within the Project Area;
- d. The realignment or removal of railroad tracks within or serving the Project Area;
- e. The construction, reconstruction or other improvement of curbs, gutters and sidewalks along or adjacent to streets and roadways within or serving the Project Area; and
- f. The installation, construction, reconstruction or other improvement of bridges, over or underpasses, and street medians, as well as bicycle paths, bus shelters and other improvements that facilitate multi-modal public transportation.

2. Water, Sewer and Flood Control

The installation, construction, reconstruction or other improvement of water, sewer and storm drainage systems and lines (collection, treatment and/or delivery) within or serving the Project Area, including the acquisition of new water sources.

3. Parking

The installation, construction, reconstruction or other improvement of both on-street and surface parking spaces and lots, as well as structured parking facilities, within or serving the Project Area.

4. Streetscape and Street Lighting

The installation of new, or repair of existing, landscaping and irrigation, street lighting, gateways and other signage, street furniture, trash receptacles, planters, murals and other amenities within or serving the Project Area.

5. Utilities

The installation of new, or repair or replacement of existing, electrical distribution systems, natural gas distribution systems, and cable television and fiber optic communication systems; where feasible, said utilities shall be placed underground.

6. Parks, Open Spaces and Community Facilities

The installation, construction, reconstruction or other improvement of parks, open spaces, school facilities, fire and police facilities, libraries, cultural centers, community centers, plazas, recreational facilities and playgrounds.

Attachment 3

Report to Council on the Proposed Amendment to the Redevelopment Plan for the
Richards Boulevard Redevelopment Project and Adoption of the Redevelopment Plan
for the Railyards Redevelopment Project

ATTACHED BY REFERENCE

(ON FILE AT CITY CLERK'S OFFICE)

Attachment 4

**RULES GOVERNING PARTICIPATION AND PREFERENCES
BY PROPERTY OWNERS AND BUSINESS OCCUPANTS IN THE
RAILYARDS REDEVELOPMENT PROJECT**

**Prepared by the
Redevelopment Agency of the City of Sacramento**

TABLE OF CONTENTS

	PAGE
I. [Section 100] PURPOSE AND INTENT	1
II. [Section 200] DEFINITIONS	1
III. [Section 300] OPPORTUNITIES FOR OWNER PARTICIPATION AND PREFERENCES TO BUSINESS OCCUPANTS TO REENTER IN BUSINESS WITHIN THE REDEVELOPED AREA.....	2
A. [Section 301] Opportunities for Owner Participation	2
B. [Section 302] Reentry Preferences for Persons Engaged in Business in the Project Area.....	2
IV. [Section 400] METHODS OF OWNER PARTICIPATION AND LIMITATIONS THEREON	2
A. [Section 401] Methods of Owner Participation	2
B. [Section 402] Limitations on Owner Participation Opportunities.....	2
C. [Section 403] Conflicts Between Potential Participants.....	3
V. [Section 500] METHODS FOR EXTENDING REENTRY PREFERENCES AND LIMITATIONS THEREON	4
A. [Section 501] Methods for Extending Reentry Preferences.....	4
B. [Section 502] Limitations on the Extension of Reentry Preferences	4
C. [Section 503] Conflicts Between Business Occupants Seeking Similar Preference	5
VI. [Section 600] PARTICIPATION PROCEDURES.....	5
A. [Section 601] Notice and Statement of Interest.....	5
B. [Section 602] Participation Agreements.....	6
1. [Section 603] General	6
2. [Section 604] Contents	6

	PAGE
VII. [Section 700] CONFORMING PROPERTIES	6
VIII. [Section 800] LIMITATIONS ON ACQUISITION OF PROPERTY BY THE AGENCY	7
IX. [Section 900] ENFORCEMENT	7
X. [Section 1000] AMENDMENT OF RULES	7

**RULES GOVERNING PARTICIPATION AND PREFERENCES BY
PROPERTY OWNERS AND BUSINESS OCCUPANTS IN THE
RAILYARDS REDEVELOPMENT PROJECT**

I. [Section 100] PURPOSE AND INTENT

These rules are adopted pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*) in order to implement the provisions of the Redevelopment Plan for the Railyards Redevelopment Project regarding participation by property owners and the extension of reasonable reentry preferences to business occupants within the Project Area. These rules set forth the procedures governing such participation and preferences.

It is the intention of the Agency to encourage and permit participation in the redevelopment of the Project Area by property owners and to extend reasonable reentry preferences to business occupants of real property within the boundaries of the Project Area to the maximum extent feasible consistent with the objectives of the Redevelopment Plan.

II. [Section 200] DEFINITIONS

As used herein, the following definitions apply:

- A. "Agency" means the Redevelopment Agency of the City of Sacramento.
- B. "Business Occupant" means any person, persons, corporation, association, partnership, or other entity engaged in a lawful business within the Project Area on or after the date of adoption of the Redevelopment Plan by the City Council.
- C. "City Council" means the City Council of the City of Sacramento, California.
- D. "Long-Term Lease" means a lease of real property with a term of twenty (20) years or more, with at least five (5) years remaining on such term.
- E. "Owner" means any person, persons, corporation, association, partnership, or other entity holding fee title to or a long-term lease of real property in the Project Area on or after the date of adoption of the Redevelopment Plan by the City Council.
- F. "Participant" means an Owner who has entered into a Participation Agreement with the Agency.
- G. "Participation Agreement" means an agreement entered into by an Owner with the Agency providing for such Owner to participate in redevelopment within the Project Area in accordance with the provisions of the Redevelopment Plan and these rules.
- H. "Project Area" means the area described in the "Legal Description of the Project Area Boundaries" (Attachment No. 1 of the Redevelopment Plan) and shown on the "Project Area Map" (Attachment No. 2 of the Redevelopment Plan).

I. "Redevelopment Plan" means the Redevelopment Plan for the Railyards Redevelopment Project, as adopted by the City Council of the City of Sacramento.

III. [Section 300] OPPORTUNITIES FOR OWNER PARTICIPATION AND PREFERENCES TO BUSINESS OCCUPANTS TO REENTER IN BUSINESS WITHIN THE REDEVELOPED AREA

A. [Section 301] Opportunities for Owner Participation

Owners of real property within the Project Area shall be extended reasonable opportunities to participate in redevelopment within the Project Area in conformity with the Redevelopment Plan and these rules.

B. [Section 302] Reentry Preferences for Persons Engaged in Business in the Project Area

Business Occupants engaged in business in the Project Area shall be extended reasonable preferences to reenter in business within the redeveloped area if they otherwise meet the requirements prescribed by the Redevelopment Plan and these rules.

IV. [Section 400] METHODS OF OWNER PARTICIPATION AND LIMITATIONS THEREON

A. [Section 401] Methods of Owner Participation

Participation methods include remaining in substantially the same location either by retaining all or portions of the Owner's property, or by retaining all or portions of the Owner's property and purchasing adjacent property from the Agency, or joining with another person or entity for the rehabilitation or development of the Owner's property and, if appropriate, other property, or submitting to the Agency for its consideration another method of participation proposal pursuant to these rules. An Owner who participates in the same location may be required to rehabilitate or demolish all or part of his/her existing buildings, or the Agency may acquire the buildings only and then remove or demolish the buildings. Participation methods also include the Agency buying land and improvements at fair market value from Owners and offering other parcels for purchase and rehabilitation or development by such Owners or offering an opportunity for such Owners to rehabilitate or develop other property jointly with other persons or entities.

B. [Section 402] Limitations on Owner Participation Opportunities

Owner participation opportunities shall necessarily be subject to and limited by factors such as the following:

1. The elimination and changing of some land uses;
2. The construction, realignment, abandonment, widening, opening and/or other alteration or elimination of public rights-of-way;
3. The removal, relocation, and/or installation of public utilities and public

- facilities;
4. The ability of the potential Participant to finance the proposed acquisition, development or rehabilitation in accordance with the Redevelopment Plan;
 5. The ability and experience of the potential Participant to undertake and complete the proposed rehabilitation or development;
 6. Any reduction in the total number of individual parcels in the Project Area;
 7. The construction or expansion of public improvements and facilities, and the necessity to assemble parcels for such projects;
 8. Any change in orientation and character of the Project Area;
 9. The necessity to assemble parcels for public and/or private development;
 10. The requirements of the Redevelopment Plan and applicable rules, regulations, and ordinances of the City of Sacramento;
 11. Any design guide adopted by the Agency pursuant to the Redevelopment Plan;
 12. The feasibility of the potential Participant's proposal;
 13. The scope of the potential Participant's proposal; and
 14. The superiority of a competing proposal with regard to implementation of the goals and objectives of the Redevelopment Plan.

C. [Section 403] Conflicts Between Potential Participants

If conflicts develop between the desires of potential Participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the potential Participants and to determine a solution by consideration of the criteria set out in Section 402 and factors such as:

1. Length of time in the neighborhood;
2. The needs and desires of the neighborhood;
3. Accommodation of as many potential Participants as possible;
4. Ability to perform;
5. Similar land use to similar land use; and

6. Conformity with intent and purpose of the Redevelopment Plan and these rules.

To the extent feasible, two or more persons, firms or institutions may join together in partnerships, corporations, or other joint entities for the purpose of participation.

V. [Section 500] METHODS FOR EXTENDING REENTRY PREFERENCES AND LIMITATIONS THEREON

A. [Section 501] Methods for Extending Reentry Preferences

Whenever a Business Occupant will be displaced by Agency action from the Project Area, the Agency will, prior to such displacement, determine: (1) whether such Business Occupant desires to relocate directly to another location within the Project Area; or (2) if suitable relocation accommodations within the Project Area are not available prior to displacement, whether such Business Occupant would desire to reenter in business within the Project Area at a later date should suitable accommodations become available. For those Business Occupants who desire to relocate directly to another Project Area location, the Agency will make reasonable efforts to assist such Business Occupants to find accommodations at locations and rents suitable to their needs. A record of the Business Occupants who cannot be or do not want to be directly relocated within the Project Area, but who have stated that they desire to reenter into business in the Project Area whenever suitable locations and rents are available, will be maintained by the Agency for a period of five (5) years. The Agency will make reasonable efforts to assist such Business Occupants to find reentry accommodations at locations and rents suitable to their needs. In any event, the Agency shall not be obligated to provide financial assistance to any displaced Business Occupant in excess of that required by law.

In order to implement the operation of this Section 501, the Agency will provide in Participation Agreements, or disposition and development agreements, as applicable, that in the renting or leasing of premises rehabilitated or developed pursuant to such agreements the Participant or developer will give reasonable preferences (over other potential tenants or lessees) to Business Occupants who will be or who have been displaced from their places of business to lease or rent premises within the newly rehabilitated or developed facilities.

B. [Section 502] Limitations on the Extension of Reentry Preferences

Reentry preferences shall necessarily be subject to and limited by factors such as the following:

1. The extent to which suitable relocation or reentry accommodations exist or are rehabilitated or developed within the Project Area;
2. The extent to which suitable relocation or reentry accommodations are available to displaced Business Occupants within an acceptable time period or at rents and other terms that are acceptable to such displaced Business Occupants, and within their financial means;

3. The extent to which the Agency has control over the proposed reentry accommodations;
4. The compatibility of the displaced Business Occupant with available reentry accommodations; and
5. The requirements of the Redevelopment Plan, these rules and any design guide adopted by the Agency pursuant to the Redevelopment Plan.

C. [Section 503] Conflicts Among Business Occupants Seeking Similar Preference

If conflicts develop among Business Occupants who seek similar preference (e.g., two or more occupants who desire to relocate directly or to reenter in business at the same premises), in addition to the criteria set out in Section 502, above, the Agency is authorized to establish reasonable priorities among such occupants and to determine a solution by consideration of factors such as:

1. Length of time in the neighborhood;
2. Accommodation of as many Business Occupants as possible;
3. Appropriateness of the type of business within the proposed premises and/or at the proposed location;
4. The needs and desires of the neighborhood;
5. The feasibility of business success; and
6. Conformity with the intent and purpose of the Redevelopment Plan and these rules, and any design guide adopted by the Agency pursuant to the Redevelopment Plan.

VI. [Section 600] PARTICIPATION PROCEDURES

A. [Section 601] Notice and Statement of Interest

Before entering into Participation Agreements, disposition and development agreements, exclusive negotiation agreements, or taking other actions that may involve the acquisition of real property in the Project Area, the Agency shall first notify Owners of property that may be acquired and call upon them to submit Statements of Interest in Participation in the proposed development or in otherwise participating in the redevelopment of the Project Area. The solicitation for Statements of Interests may be in the form of a request for proposals for a development project.

Those desiring to submit Statements of Interest in Participation must complete and submit such statements to the Agency within thirty (30) days of receipt. Such statements shall include information requested by the Agency and shall be in the form requested by the Agency.

Any Owner may also submit such a statement at any time before such notification.

The Agency shall consider such statements as are submitted on time and shall seek to develop reasonable participation for those submitting such statements whether to stay in place or to move to another location. The Agency may, in its sole discretion, determine that a participation proposal is not feasible or in the best interest of the Redevelopment Project or the community, or is otherwise limited by one or more of the criteria set forth herein.

B. [Section 602] Participation Agreements

1. [Section 603] General

Public and private Owners wishing to develop or improve their properties within the Project Area may be required, as a condition to the Agency's approval of such development, to enter into a binding, written Participation Agreement with the Agency, if the Agency determines it is necessary to impose upon such property any of the standards, restrictions and controls of the Redevelopment Plan or any design guide adopted by the Agency pursuant to the Redevelopment Plan.

2. [Section 604] Contents

A Participation Agreement shall obligate the Owner, and the Owner's heirs, successors and assignees to rehabilitate, develop and use the property, as may be applicable, in conformance with the Redevelopment Plan and/or to be subject to such other provisions and conditions of the Redevelopment Plan the Agency may require for the period of time that the Redevelopment Plan is in force and effect, excepting those provisions related to non-discrimination and non-segregation which shall run in perpetuity.

Each Participation Agreement will contain such terms and conditions and will require the Participant to join in the recordation of such documents as the Agency may require in order to insure that the property will be rehabilitated, developed and used in accordance with the Redevelopment Plan and the agreement. The rights of any Owner Participant under an approved Participation Agreement may or may not, at the Agency's option, be transferable upon sale or other disposition of the property. Participation Agreements are subject to the approval of the Agency's governing board.

VII. [Section 700] CONFORMING PROPERTIES

The Agency may, in its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of the Redevelopment Plan, and such property will be permitted to remain as conforming property, provided the Owner thereof continues to operate, use, and maintain such property within the requirements of the Redevelopment Plan.

In the event that an Owner of conforming property desires to construct any improvements or substantially alter or modify existing structures on such property, the Owner may be required by the Agency to enter into a Participation Agreement with the Agency to

insure that such improvement or alteration is consistent with the Redevelopment Plan.

VIII. [Section 800] LIMITATIONS ON ACQUISITION OF PROPERTY BY THE AGENCY

The Agency shall not acquire real property to be retained and developed by an Owner pursuant to a Participation Agreement if the Owner fully performs under the agreement.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the Owner, unless:

A. Such building requires structural alteration, improvement, modernization, or rehabilitation;

B. The site or lot on which the building is situated requires modification in size, shape, or use; or

C. It is necessary to impose upon such property any of the controls, limitations, restrictions, and requirements of the Redevelopment Plan, and the Owner fails or refuses to participate in redevelopment by executing a Participation Agreement in accordance with the provisions of the Redevelopment Plan.

IX. [Section 900] ENFORCEMENT

In the event a property is not rehabilitated, developed or used in conformance with the Redevelopment Plan, then the Agency is authorized to (1) purchase the property, (2) purchase any interest in the property sufficient to obtain conformance, or (3) take any other appropriate action sufficient to obtain such conformance.

X. [Section 1000] AMENDMENT OF RULES

These rules may be modified or amended from time to time by the Agency at any regular or duly called special meeting, provided, however, that no such amendment shall retroactively impair the rights of Owners who have executed Participation Agreements with the Agency in reliance upon these rules as presently constituted.

STATEMENT OF INTEREST IN PARTICIPATION

I hereby express my interest in participating in the Railyards Redevelopment Project and submit the following information:

- 1. Name: _____ Daytime Telephone: _____
- 2. Home Address: _____
- 3. My present involvement in the Project Area is (check a or b):
 - a. I now own property in the Project Area
 - b. I now lease property in the Project AreaExplain (use additional sheets if necessary):

- 4. Address of Business: _____
- 5. Name of Business(es) located on my property, if any: _____
- 6. I own do not own business(es) located on my property (check one)
- 7. If you do not own the business(es) located on your property, please list the name(s), address(es) and telephone number(s) of the owner(s) on a separate sheet.
- 8. If I participate (check a, b or c):
 - a. I would like to continue at the same location
 - b. I would like to acquire real property for expansion
 - c. I would like to sell my property and acquire other property in the Project AreaExplain (use additional sheets if necessary)

I understand that submission of this Statement of Interest in Participation form does not obligate me to participate in the Railyards Redevelopment Project.

Signature _____
Date _____

Attachment 5

RESOLUTION NO. 2008-_____

Adopted by the Redevelopment Agency
of the City of Sacramento

Approve and Adopt the Report to Council on the Proposed Railyards Redevelopment Project and Richards Boulevard Redevelopment Plan Amendment, Transmitting Said Report to the City Council, and Approving and Requesting Joint and Concurrent Public Hearings with the City Council to Consider Approval of the Proposed Redevelopment Plan and Amendment and Final Environmental Impact Report Related Thereto

BACKGROUND

- A. Pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*; the "CRL"), the Redevelopment Agency of the City of Sacramento (the "Agency") has prepared a proposed amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project (the "Richards Amendment" or "Seventh Amendment") and a proposed Redevelopment Plan for the Railyards Redevelopment Project (the "Railyards Redevelopment Plan"); and
- B. The area included within the boundaries of the proposed Railyards Redevelopment Project (the "Railyards Area") is currently within the boundaries of the Richards Boulevard Redevelopment Project; and
- C. For the reasons enumerated in the Staff Report accompanying this resolution, it is now proposed that the Railyards Area be removed from the Richards Boulevard Redevelopment Project Area and adopted as a separate redevelopment project area; and
- D. The Richards Amendment would remove the Railyards Area from the Richards Boulevard Redevelopment Project Area and rename that Project as the "River District Redevelopment Project;" and
- E. The adoption of the Railyards Redevelopment Plan is contingent upon the adoption of the Richards Amendment; and
- F. CRL Sections 33346 and 33453 provide that before a proposed redevelopment plan or substantial amendment to a redevelopment plan is submitted to the legislative body for adoption, the redevelopment agency shall submit the proposed plan or amendment to the planning commission for its report and recommendation, including a determination whether the proposed plan or amendment is in conformity with the jurisdiction's general plan; and

- G. The Agency submitted the proposed Richards Amendment and the proposed Railyards Redevelopment Plan to the Planning Commission of the City of Sacramento for its report and recommendations, and the Planning Commission adopted findings and recommended the approval and adoption of the proposed Richards Amendment and the proposed Railyards Redevelopment Plan on January 10, 2008; and
- H. Pursuant to the California Environmental Quality Act (Public Resources Section 21000 *et seq.*, "CEQA"), the State CEQA Guidelines (14 Cal. Code Regs. Section 15000 *et seq.*) and local procedures adopted by the Agency pursuant thereto, the Agency has prepared a program environmental impact report (the "EIR") on the proposed Richards Amendment and the proposed Railyards Redevelopment Plan; and
- I. Pursuant to CRL Sections 33352 and 33457.1, the Agency has prepared a Report to the City Council on the proposed Richards Amendment and the proposed Railyards Redevelopment Plan, which Report incorporates by reference the EIR; and
- J. Sections 33355 and 33458 of the CRL authorize joint public hearings on the proposed Richards Amendment and the proposed Redevelopment Plan with the consent of the Agency and the City Council of the City of Sacramento;

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

- Section 1. The Agency hereby approves and adopts the Report to the City Council on the proposed Seventh Amendment to the Richards Boulevard Redevelopment Plan and the proposed Redevelopment Plan for the Railyards Redevelopment Project, in the form attached to the staff report accompanying this resolution as Attachment No. 3 (the "Agency's Report"). The Agency hereby submits the Agency's Report, together with the proposed Richards Amendment and the proposed Railyards Redevelopment Plan, to the City Council. The proposed Richards Amendment is attached to the staff report accompanying this resolution as Attachment No. 1. The proposed Railyards Redevelopment Plan is attached to the staff report accompanying this resolution as Attachment No. 2.
- Section 2. The Agency hereby consents to joint and concurrent public hearings on the proposed Richards Amendment and the proposed Railyards Redevelopment Plan, together with a joint and concurrent public hearing on the Final EIR, and requests that the City Council call said joint and concurrent public hearings of the Agency and the City Council on Tuesday, April 22, 2008, at 6:00 p.m., in the City Council Chambers, 915 I Street, Sacramento, California, to consider and act upon the proposed Richards Amendment, the proposed Railyards Redevelopment Plan, the Final EIR, and all documents and evidence pertaining thereto.

Section 3. The Secretary of the Agency shall, in cooperation with the City Clerk of the City of Sacramento, prepare, publish, and mail such notices and documents and do all other acts as may be necessary to carry out the purposes of this resolution.

Attachment 6

RESOLUTION NO. 2008-_____

Adopted by the Redevelopment Agency
of the City of Sacramento

**Approving and Adopting Rules Governing Participation and Preferences by
Property Owners and Business Occupants in the Railyards Redevelopment
Project**

BACKGROUND

- A. The Redevelopment Agency of the City of Sacramento (the "Agency") has prepared a proposed Redevelopment Plan (the "Redevelopment Plan") for the Railyards Redevelopment Project (the "Project"); and
- B. Section 33345 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) provides that a redevelopment agency shall adopt and make available for public inspection rules to implement the operation of owner participation in connection with a redevelopment plan; and
- C. Section 33339.5 of the California Community Redevelopment Law provides that a redevelopment agency shall adopt and make available for public inspection rules regarding the extension of reasonable preferences to persons who are engaged in business in the project area to reenter in business within the redeveloped area if they otherwise meet the requirements prescribed by the redevelopment plan;

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS
FOLLOWS:**

- Section 1. The "Rules Governing Participation and Preferences by Property Owners and Business Occupants in the Railyards Redevelopment Project," in the form attached hereto and incorporated herein by reference, are hereby approved and adopted.

Attachment 7

RESOLUTION NO. 2008-_____

Adopted by the Sacramento City Council

ACKNOWLEDGE RECEIPT FROM THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO OF THE PROPOSED SEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE RICHARDS BOULEVARD REDEVELOPMENT PROJECT, THE PROPOSED REDEVELOPMENT PLAN FOR THE RAILYARDS REDEVELOPMENT PROJECT, AND THE REPORT TO THE CITY COUNCIL CONCERNING SAID RICHARDS AMENDMENT AND RAILYARDS REDEVELOPMENT PLAN, AND CONSENTING TO AND CALLING JOINT AND CONCURRENT PUBLIC HEARINGS ON SAID RICHARDS AMENDMENT AND RAILYARDS REDEVELOPMENT PLAN AND THE FINAL ENVIRONMENTAL IMPACT REPORT RELATED THERETO

BACKGROUND

- A. Pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*; the "CRL"), the Redevelopment Agency of the City of Sacramento (the "Agency") has prepared a proposed amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project (the "Richards Amendment" or "Seventh Amendment") and a proposed Redevelopment Plan for the Railyards Redevelopment Project (the "Railyards Redevelopment Plan"); and
- B. The area included within the boundaries of the proposed Railyards Redevelopment Project (the "Railyards Area") is currently within the boundaries of the Richards Boulevard Redevelopment Project; and
- C. For the reasons enumerated in the staff report accompanying this resolution, it is now proposed that the Railyards Area be removed from the Richards Boulevard Redevelopment Project Area and adopted as a separate redevelopment project area; and
- D. The Richards Amendment would remove the Railyards Area from the Richards Boulevard Redevelopment Project Area and rename that Project as the "River District Redevelopment Project;" and
- E. The adoption of the Railyards Redevelopment Plan is contingent upon the adoption of the Richards Amendment; and
- F. CRL Sections 33346 and 33453 provide that before a proposed redevelopment

plan or substantial amendment to a redevelopment plan is submitted to the legislative body for adoption, the redevelopment agency shall submit the proposed plan or amendment to the planning commission for its report and recommendation, including a determination whether the proposed plan or amendment is in conformity with the jurisdiction's general plan; and

- G. The Agency submitted the proposed Richards Amendment and the proposed Railyards Redevelopment Plan to the Planning Commission of the City of Sacramento for its report and recommendations, and the Planning Commission adopted findings and recommended the approval and adoption of the proposed Richards Amendment and the proposed Railyards Redevelopment Plan on January 10, 2008; and
- H. Pursuant to the California Environmental Quality Act (Public Resources Section 21000 *et seq.*, "CEQA"), the State CEQA Guidelines (14 Cal. Code Regs. Section 15000 *et seq.*) and local procedures adopted by the Agency pursuant thereto, the Agency has prepared a program environmental impact report (the "EIR") on the proposed Richards Amendment and the proposed Railyards Redevelopment Plan; and
- I. Pursuant to CRL Sections 33352 and 33457.1, the Agency has prepared a Report to the City Council on the proposed Richards Amendment and the proposed Railyards Redevelopment Plan, which Report incorporates by reference the EIR; and
- J. The Agency, by resolution adopted on March 4, 2008, submitted to the City Council the proposed Richards Amendment, the proposed Railyards Redevelopment Plan and the Report prepared by the Agency, and consented to and requested that the City Council call joint and concurrent public hearings of the Agency and the City Council to consider and act upon the proposed Richards Amendment, the proposed Railyards Redevelopment Plan and the Final EIR related thereto; and
- K. Sections 33355 and 33458 of the CRL authorize joint public hearings on the proposed Richards Amendment and the proposed Redevelopment Plan with the consent of the Agency and the City Council of the City of Sacramento;

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council hereby acknowledges receipt from the Agency of the proposed Seventh Amendment to the Richards Boulevard Redevelopment Plan, the proposed Redevelopment Plan for the Railyards Redevelopment Project, and the Report of the Agency to the City Council concerning said Richards Amendment and Railyards Redevelopment Plan (the "Agency's Report"). The proposed Richards Amendment is attached to the staff

report accompanying this resolution as Attachment No. 1. The proposed Railyards Redevelopment Plan is attached to the staff report accompanying this resolution as Attachment No. 2. The Agency's Report is attached to the staff report accompanying this resolution as Attachment No. 3.

- Section 2. The City Council hereby consents to and calls joint and concurrent public hearings of the Agency and the City Council on Tuesday, April 22, 2008, at 6:00 p.m. or as soon thereafter as possible, in the City Council Chambers, 915 I Street, Sacramento, California, to consider and act upon the proposed Richards Amendment, the proposed Railyards Redevelopment Plan, the Final EIR, and all documents and evidence pertaining thereto.
- Section 3. The City Clerk of the City of Sacramento shall, in cooperation with the Secretary of the Agency, prepare, publish, and mail such notices and documents and do all other acts as may be necessary to carry out the purposes of this resolution.