

Recording Requested by:

Redevelopment Agency of the City of Stockton

When Recorded Return to:

Goldfarb & Lipman LLP  
1300 Clay Street, 9<sup>th</sup> Floor  
City Center Plaza  
Oakland, CA 94612  
Attention: Phuong Lam

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

ORDINANCE NO. **017-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STOCKTON ADOPTING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE NORTH STOCKTON REDEVELOPMENT PROJECT PURSUANT TO THE COMMUNITY REDEVELOPMENT LAW OF THE STATE OF CALIFORNIA**

THE CITY COUNCIL OF THE CITY OF STOCKTON DOES ORDAIN, AS FOLLOWS:

Section 1. Recitals and Background Information. The City Council of the City of Stockton (the "City Council") adopted the Redevelopment Plan for the North Stockton Project by Ordinance No. 012-04 on July 13, 2004 (the "Original Plan"). The Original Plan established the North Stockton Redevelopment Project Area (the "Existing Project Area").

Pursuant to the California Community Redevelopment Law (Health & Safety Code section 33000 et seq.) (the "Redevelopment Law"), the Redevelopment Agency of the City of Stockton (the "Agency") has now prepared and submitted to the City Council for review and adoption the Amended and Restated Redevelopment Plan for the North Stockton Project (the "Amended Plan"), which amends and restates the Original Plan. The Amended Plan consists of twenty-nine (29) pages and six (6) exhibits. A copy of the Amended Plan is on file with the City Clerk of the City of Stockton (the "City Clerk"), and is incorporated in this Ordinance by this reference.

Among other matters, the Amended Plan amends the Original Plan to: (a) add territory to the Existing Project Area (the "Added Area," and together with the Existing Project Area, the "Project Area"); and (b) set a new limit on the amount of bonds that may be outstanding at one time that are secured by a pledge of tax increment from the Added Areas.



The Amended Plan is necessary to provide the Agency, the City and the Stockton community with additional financial and legal resources to expand and complete the redevelopment program in the Project Area through activities such as development of public improvements, financial and other assistance to property owners for redevelopment of their properties, and assistance in the development, preservation, acquisition and rehabilitation of affordable housing.

The Project Area is situated in the City of Stockton, County of San Joaquin, State of California, and is more particularly described in Exhibit B of the Amended Plan, which includes Exhibit B-1 (the legal description of the original Project Area) and Exhibit B-2 (the legal description of the Added Area), which are incorporated herein by this reference.

The Agency has made studies of the impact of the Amended Plan on the physical condition of structures, environmental influences, land use, and social, economic, and cultural conditions in the Project Area, and has determined that the program of redevelopment to be undertaken pursuant to the Amended Plan will promote the proper redevelopment of the Project Area in accordance with the goals, objectives and policies of the City of Stockton General Plan (the "General Plan"), the Original Plan, and the Redevelopment Law.

The City and Agency staff previously prepared an Environmental Impact Report for the Original Plan (the "EIR"), which was prepared pursuant to the California Environmental Quality Act of 1970, as amended ("CEQA"), the Official State Guidelines as amended for the implementation of CEQA (the "State EIR Guidelines"), and the City and Agency local guidelines for administering CEQA (the "Local Guidelines"). The EIR was certified by the City Council on July 13, 2004, prior to consideration of the ordinance adopting the Original Plan.

By resolutions adopted on July 13, 2004, the City Council and the Agency adopted mitigation measures and made certain findings and statements in compliance with Sections 15091, 15093, and 15168 of the State EIR Guidelines.

In connection with preparation of the Amended Plan, pursuant to Section 15164 of the State EIR Guidelines, City and Agency staff have had prepared an Addendum to the EIR.

Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, and based on the analysis contained in the Addendum, no additional environmental review is required for consideration of the Amended Plan because:

- There are no substantial changes in the Project, or with respect to the circumstances of the Project, involving new significant environmental effects or substantially increasing the severity of previously identified effects; and
- No new information has become available, which was not known and could not have been known at the time of the EIR, showing one or more of the

following: (a) one or more significant effects of the Project not discussed in the EIR; (b) previously identified environmental effects will be substantially more severe than shown in the EIR; (c) mitigation measures or alternatives previously found to be infeasible would in fact now be feasible; or (d) new mitigation measures or alternatives not considered in the EIR would substantially reduce one or more significant effects on the environment; and

The Planning Commission of the City of Stockton, which is the duly designated and acting official planning body of the City, has submitted to the City Council its report and recommendation dated October 13, 2005, recommending approval and adoption of the Amended Plan and has certified that the Amended Plan conforms to the General Plan.

The Amended Plan incorporates the land uses for the Project Area which are determined by the City's General Plan. Implementation of the Amended Plan may require, among other things, the vacating and removal of streets of record and other public rights of way, the establishment of new street patterns, and the location of sewers, water mains, lighting and utility lines and other public facilities.

The Agency has prepared and submitted and the City Council has reviewed and considered the Report to the City Council (the "Report to Council"), pursuant to Health and Safety Code Sections 33352 and 33457.1, a copy of which is on file with the City Clerk.

As a part of the Report to Council, the Agency has prepared and submitted to the City Council a program for implementation of the projects contemplated to be undertaken pursuant to the Amended Plan.

The City Council is cognizant of the conditions that are imposed in the undertaking and implementation of redevelopment projects under State law, including those prohibiting discrimination because of race, color, creed, religion, sex, sexual orientation, marital status, national origin, or ancestry.

On November 1, 2005, the City Council and the Agency conducted a joint public hearing on the Amended Plan and accompanying documents, which was duly noticed in accordance with the requirements of the Redevelopment Law.

At or prior to the joint public hearing on the Amended Plan, the City Council and Agency received certain written comments on the Amended Plan. Prior to introduction of this Ordinance, by City Council resolution dated November 15, 2005, and pursuant to Health and Safety Code section 33363, the City Council prepared and adopted its responses and findings (the "Findings") in writing to all written comments it received in connection with consideration of adoption of the Amended Plan.

**Section 2. Findings and Determinations.** In accordance with Health and Safety Code sections 33354.6(a), 33367 and 33457.1, and based upon the evidence contained in the Report to Council, the EIR, the Addendum and other documents

prepared in the Amended Plan adoption process, and on evidence presented at the public hearing, it is hereby found and determined that:

a. The above recitals and background information are true and correct.

b. The Added Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in, and the Added Area qualifies as an eligible area under, the Redevelopment Law (see particularly Sections A and B of the Report to Council regarding evidence with respect to this finding).

c. The time limitations, the limitation on bonded indebtedness, and the limitation on the number of tax increment dollars to be allocated to the Agency that are contained in the Amended Plan are reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area (see particularly Sections D and E of the Report to Council regarding evidence with respect to this finding). As indicated in Section E of the Report to Council and accompanying tax increment projections, it will require a lengthy period to generate sufficient funds to pay for the identified programs and activities to alleviate blight in the Project Area. Consequently, it is necessary to establish the time, bonded indebtedness, and tax increment dollar limits set forth in the Amended Plan for the incurrence of debt to pay for the necessary programs and activities, for the effectiveness of the Amended Plan, and for the receipt of tax increment revenue in order to repay the debt incurred for the necessary programs and activities.

d. The Amended Plan would redevelop the Project Area in conformity with the Redevelopment Law and would be in the interest of the public peace, health, safety, and welfare; and the implementation of the Amended Plan would promote the public peace, health, safety and welfare of the City and the Stockton community, and would effectuate the purposes and policy of the Redevelopment Law (see particularly Sections A, B, C, D, E and M of the Report to Council regarding evidence with respect to this finding).

e. The Amended Plan conforms to the City of Stockton General Plan including, but not limited to, the Housing Element of the General Plan, which Housing Element substantially complies with the requirements of Article 10.6 (commencing with Section 65580 of Part 3 of Division 1 of Title 7 of the Government Code) (see particularly Part IV of the Amended Plan, Sections A, H and J of the Report to Council and the Planning Commission Report and Recommendation dated October 13, 2005 regarding evidence with respect to this finding).

f. The adoption and implementation of the Amended Plan is economically sound and feasible (see particularly Sections C and E of the Report to Council regarding evidence with respect to this finding).

g. The Amended Plan will afford maximum opportunity, consistent with the sound needs of the City, as a whole, for the redevelopment of the Project Area by private enterprise (see particularly Sections A and D of the Report to Council and the



Agency's adopted Amended Rules for Owner Participation and Business Tenant Preference regarding evidence with respect to this finding).

h. The Agency has a feasible method or plan for the relocation of families and persons which may be displaced from the Project Area if the Amended Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area (see particularly Section F of the Report to Council and the Agency's adopted Relocation Guidelines regarding evidence with respect to this finding).

i. There are, or shall be provided, in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project Area, decent, safe and sanitary dwellings equal in number to the number of, and available to, such displaced families and persons and reasonably accessible to their places of employment. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Health and Safety Code sections 33411 and 33411.1. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Health and Safety Code sections 33334.5, 33413, and 33413.5 (see particularly Sections F and M of the Report to Council regarding evidence with respect to this finding).

j. Pursuant to Health and Safety Code section 33367(e), the City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area, if any, are displaced and that pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement (see particularly Sections F and M of the Report to Council regarding evidence with respect to this finding).

k. The Existing Project Area contains approximately 3,680 acres and the Added Area contains approximately 92 acres. All areas of the Project Area are blighted or necessary for effective redevelopment, and are not included in the Project Area for the purpose of obtaining tax increment revenues from the area pursuant to Health and Safety section 33670 without substantial justification for their inclusion. All noncontiguous areas of the Project Area are blighted or necessary for effective redevelopment, and are not included in the Project Area for the purpose of obtaining tax increment revenues from the area pursuant to Health and Safety section 33670 (see particularly Sections A, B, D and E of the Report to Council regarding evidence with respect to this finding).

l. The inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the Project Area of which they are a part; and these lands, buildings or improvements are not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Health and Safety Code section 33670

without other substantial justification for their inclusion (see particularly Sections A, B, D and E of the Report to Council regarding evidence with respect to this finding).

m. In order to implement and facilitate the effectuation of the Amended Plan hereby approved and adopted, certain official action must be taken by this City Council with reference to, among other things, the establishment of new street patterns, the location of sewer and water mains, lighting and utility lines and other public facilities and other public action, and accordingly, this City Council hereby: (i) pledges its cooperation in helping to implement the Amended Plan; (ii) requests the various officials, departments, boards, and agencies of the City having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Amended Plan; (iii) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Plan; and (iv) intends to undertake and complete any proceedings necessary to be implemented by the community under the provisions of the Amended Plan.

n. The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency (see particularly Sections A, B, D and E of the Report to Council regarding evidence with the respect to this finding).

o. The condemnation of real property, if any, is necessary to the execution of the Amended Plan and adequate provisions have been made for payment of property to be acquired as provided by law (see particularly Sections B and D of the Report to Council, and Part VI of the Amended Plan regarding evidence with respect to this finding).

p. The development of the public improvements set forth in the Amended Plan is of benefit to the Project Area and to the immediate neighborhood in which the project is located; no other reasonable means of financing such improvements are available to the community; and the payment of funds for the acquisition of land for and the cost of such improvements will assist in eliminating one or more blighting conditions in the Project Area. Based on these findings, the Agency is authorized to pay all or a part of the value of the land for and the cost of the installation and construction of the public improvements set forth in the Amended Plan, as permitted by Health and Safety Code section 33445 (see particularly Sections B, D, E and M of the Report to Council regarding evidence with respect to this finding).

q. The Existing Project Area and the Added Area, taken together as the Project Area, are predominantly urbanized as defined in Health and Safety Code section 33320.1(b) (see particularly Section A of the Report to Council regarding evidence with respect to this finding).

Section 3. Overruling of Objections. All written and oral objections to the Amended Plan are hereby overruled. In accordance with Health and Safety Code section 33363, the reasons for overruling all written objections are more fully set forth in the Findings.

Section 4. Approval of Redevelopment Plan. It is hereby found that the amendments to the Original Plan embodied in the Amended Plan are necessary and desirable. The Original Plan and Ordinance No. 012-04 are hereby amended in accordance with the amendment contained in the Amended Plan. The Amended Plan for the Project Area, having been duly received and considered, is approved and adopted, and the City Clerk is hereby directed to file a copy of the Amended Plan with the minutes of this meeting. The Amended Plan, which contains, among other elements, the statement of the purpose and intent of the City Council with respect to the Project Area, is incorporated in this Ordinance by reference. The Amended Plan is hereby designated as the official Redevelopment Plan for the Project Area. It is the purpose and intent of this City Council that the Amended Plan be implemented in the Project Area. A copy of this Ordinance shall be transmitted to the Agency and the Agency is vested with the responsibility of implementing the Amended Plan.

Section 5. Specific Purposes of City Council. It is the specific purpose and intent of the City Council with respect to the Project Area that the Amended Plan be implemented in order to:

- a. Eliminate the conditions of blight in the Project Area;
- b. Ensure, as far as possible, that the causes of the blighting conditions will be either eliminated or protected against;
- c. Encourage and ensure the appropriate development of the Project Area; and
- d. Encourage and foster the economic revitalization of the Project Area and the provision of affordable housing in the Project Area and other areas of the City.

Neither the list of purposes set forth above nor the lists of goals and objectives set forth in the Amended Plan and the Report to Council are intended to reflect a particular priority order. Rather, it is the intention of the City Council that the Amended Plan be implemented in a manner that will achieve an appropriate balance of the listed purposes, goals, and objectives taking into account redevelopment needs and opportunities that arise from time to time.

Section 6. Severability. If any provision, section, subsection, subdivision, sentence, clause or phrase of this Ordinance or the Amended Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Ordinance or the Amended Plan. In the event that any portion of the Project Area shall be determined to have been invalidly or incorrectly included in the Project Area, such invalidly or incorrectly included portion of the Project Area shall be deemed severable from the remainder of the Project Area, and the remainder of the Project Area shall remain fully subject to the provisions of the Amended Plan.

Section 7. Recordation. The Executive Director of the Agency is hereby directed to record the Amended Plan in compliance with the provisions of Health & Safety Code sections 33373 and 33456 and Government Code section 27295.

Section 8. Publication; Effectiveness. This Ordinance shall be published once in the Record, a newspaper of general circulation printed and published in San Joaquin County and circulated in the City of Stockton, within fifteen (15) days from and after its adoption, and shall take effect and be enforced thirty (30) days after its adoption.

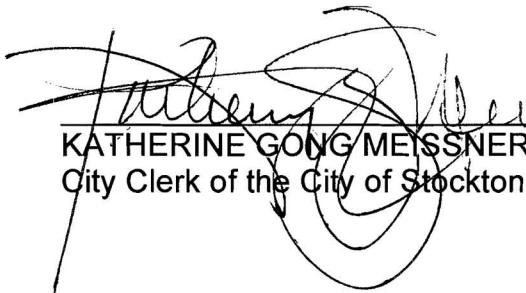
ADOPTED: NOV 15 2005

EFFECTIVE: DEC 15 2005



EDWARD J. CHAVEZ, Mayor  
of the City of Stockton

ATTEST:



KATHERINE GONG MEISSNER  
City Clerk of the City of Stockton



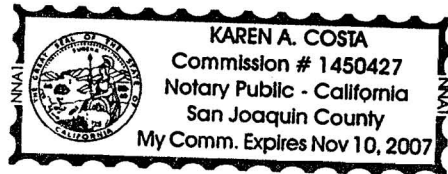
::ODMA\GRPWISE\COS.CA.CA\_Library:35530.1

STATE OF CALIFORNIA )  
COUNTY OF San Joaquin )

On this 16<sup>th</sup> day of November, 2005, before me, Karen A. Costa, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared Katherine G Meissner, personally know to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the City Clerk of the City of Stockton that executed the within document and acknowledged to me that City of Stockton did executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Karen A Costa  
KAREN A. COSTA, NOTARY PUBLIC  
in and for said County and State.

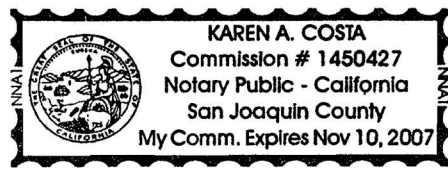


STATE OF CALIFORNIA )  
COUNTY OF San Joaquin )

On this 16<sup>th</sup> day of November, 2005, before me, Karen A. Costa, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared Edward J Chavez, personally know to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the Mayor of the City of Stockton that executed the within document and acknowledged to me that City of Stockton did execute the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Karen A Costa  
Karen A. Costa, NOTARY PUBLIC  
in and for said County and State.



Recording Requested by:

Redevelopment Agency of the City of Stockton

When Recorded Return to:

**DOCH 2005-288690**  
11/17/2005

Goldfarb & Lipman LLP  
1300 Clay Street, 9<sup>th</sup> Floor  
City Center Plaza  
Oakland, CA 94612  
Attention: Phuong Lam

Conformed Copy

**GARY W. FREEMAN**  
County of San Joaquin  
Assessor-Recorder-County Clerk

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

**017-05**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STOCKTON ADOPTING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE NORTH STOCKTON REDEVELOPMENT PROJECT PURSUANT TO THE COMMUNITY REDEVELOPMENT LAW OF THE STATE OF CALIFORNIA**

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Pursuant to the California Community Redevelopment Law (Health & Safety Code section 33000 et seq.) (the "Redevelopment Law"), the Redevelopment Agency of the City of Stockton (the "Agency") has now prepared and submitted to the City Council for review and adoption the Amended and Restated Redevelopment Plan for the North Stockton Project (the "Amended Plan"), which amends and restates the Original Plan. The Amended Plan consists of twenty-nine (29) pages and six (6) exhibits. A copy of the Amended Plan is on file with the City Clerk of the City of Stockton (the "City Clerk"), and is incorporated in this Ordinance by this reference.

Among other matters, the Amended Plan amends the Original Plan to: (a) add territory to the Existing Project Area (the "Added Area," and together with the Existing Project Area, the "Project Area"); and (b) set a new limit on the amount of bonds that may be outstanding at one time that are secured by a pledge of tax increment from the Added Areas.

2011831291789.2

CITY ATTY  
REVIEW

*[Signature]*  
NOV 04 2005

1

DATE



The Amended Plan is necessary to provide the Agency, the City and the Stockton community with additional financial and legal resources to expand and complete the redevelopment program in the Project Area through activities such as development of public improvements, financial and other assistance to property owners for redevelopment of their properties, and assistance in the development, preservation, acquisition and rehabilitation of affordable housing.

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- There are no substantial changes in the Project, or with respect to the circumstances of the Project, involving new significant environmental effects or substantially increasing the severity of previously identified effects; and
- No new information has become available, which was not known and could not have been known at the time of the EIR, showing one or more of the

following: (a) one or more significant effects of the Project not discussed in the EIR; (b) previously identified environmental effects will be substantially more severe than shown in the EIR; (c) mitigation measures or alternatives previously found to be infeasible would in fact now be feasible; or (d) new mitigation measures or alternatives not considered in the EIR would substantially reduce one or more significant effects on the environment; and

The Planning Commission of the City of Stockton, which is the duly designated and acting official planning body of the City, has submitted to the City Council its report and recommendation dated October 13, 2005, recommending approval and adoption of the Amended Plan and has certified that the Amended Plan conforms to the General Plan.

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Section 2. Findings and Determinations. In accordance with Health and Safety Code sections 33354.6(a), 33367 and 33457.1, and based upon the evidence contained in the Report to Council, the EIR, the Addendum and other documents

prepared in the Amended Plan adoption process, and on evidence presented at the public hearing, it is hereby found and determined that:

a. The above recitals and background information are true and correct.

b. The Added Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in, and the Added Area qualifies as an eligible area under, the Redevelopment Law (see particularly Sections A and B of the Report to Council regarding evidence with respect to this finding).

c. The time limitations, the limitation on bonded indebtedness, and the limitation on the number of tax increment dollars to be allocated to the Agency that are contained in the Amended Plan are reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area (see particularly Sections D and E of the Report to Council regarding evidence with respect to this finding). As indicated in Section E of the Report to Council and accompanying tax increment projections, it will require a lengthy period to generate sufficient funds to pay for the identified programs and activities to alleviate blight in the Project Area. Consequently, it is necessary to establish the time, bonded indebtedness, and tax increment dollar limits set forth in the Amended Plan for the incurrence of debt to pay for the necessary programs and activities, for the effectiveness of the Amended Plan, and for the receipt of tax increment revenue in order to repay the debt incurred for the necessary programs and activities.

d. The Amended Plan would redevelop the Project Area in conformity with the Redevelopment Law and would be in the interest of the public peace, health, safety, and welfare; and the implementation of the Amended Plan would promote the public peace, health, safety and welfare of the City and the Stockton community, and would effectuate the purposes and policy of the Redevelopment Law (see particularly Sections A, B, C, D, E and M of the Report to Council regarding evidence with respect to this finding).

e. The Amended Plan conforms to the City of Stockton General Plan including, but not limited to, the Housing Element of the General Plan, which Housing Element substantially complies with the requirements of Article 10.6 (commencing with Section 65580 of Part 3 of Division 1 of Title 7 of the Government Code) (see particularly Part IV of the Amended Plan, Sections A, H and J of the Report to Council and the Planning Commission Report and Recommendation dated October 13, 2005 regarding evidence with respect to this finding).

f. The adoption and implementation of the Amended Plan is economically sound and feasible (see particularly Sections C and E of the Report to Council regarding evidence with respect to this finding).

g. The Amended Plan will afford maximum opportunity, consistent with the sound needs of the City, as a whole, for the redevelopment of the Project Area by private enterprise (see particularly Sections A and D of the Report to Council and the

Agency's adopted Amended Rules for Owner Participation and Business Tenant Preference regarding evidence with respect to this finding).

h. The Agency has a feasible method or plan for the relocation of families and persons which may be displaced from the Project Area if the Amended Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area (see particularly Section F of the Report to Council and the Agency's adopted Relocation Guidelines regarding evidence with respect to this finding).

i. There are, or shall be provided, in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project Area, decent, safe and sanitary dwellings equal in number to the number of, and available to, such displaced families and persons and reasonably accessible to their places of employment. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Health and Safety Code sections 33411 and 33411.1. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Health and Safety Code sections 33334.5, 33413, and 33413.5 (see particularly Sections F and M of the Report to Council regarding evidence with respect to this finding).

j. Pursuant to Health and Safety Code section 33367(e), the City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area, if any, are displaced and that pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement (see particularly Sections F and M of the Report to Council regarding evidence with respect to this finding).

k. The Existing Project Area contains approximately 3,680 acres and the Added Area contains approximately 92 acres. All areas of the Project Area are blighted or necessary for effective redevelopment, and are not included in the Project Area for the purpose of obtaining tax increment revenues from the area pursuant to Health and Safety section 33670 without substantial justification for their inclusion. All noncontiguous areas of the Project Area are blighted or necessary for effective redevelopment, and are not included in the Project Area for the purpose of obtaining tax increment revenues from the area pursuant to Health and Safety section 33670 (see particularly Sections A, B, D and E of the Report to Council regarding evidence with respect to this finding).

l. The inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the Project Area of which they are a part; and these lands, buildings or improvements are not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Health and Safety Code section 33670

without other substantial justification for their inclusion (see particularly Sections A, B, D and E of the Report to Council regarding evidence with respect to this finding).

m. In order to implement and facilitate the effectuation of the Amended Plan hereby approved and adopted, certain official action must be taken by this City Council with reference to, among other things, the establishment of new street patterns, the location of sewer and water mains, lighting and utility lines and other public facilities and other public action, and accordingly, this City Council hereby: (i) pledges its cooperation in helping to implement the Amended Plan; (ii) requests the various officials, departments, boards, and agencies of the City having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Amended Plan; (iii) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Plan; and (iv) intends to undertake and complete any proceedings necessary to be implemented by the community under the provisions of the Amended Plan.

n. The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency (see particularly Sections A, B, D and E of the Report to Council regarding evidence with the respect to this finding).

o. The condemnation of real property, if any, is necessary to the execution of the Amended Plan and adequate provisions have been made for payment of property to be acquired as provided by law (see particularly Sections B and D of the Report to Council, and Part VI of the Amended Plan regarding evidence with respect to this finding).

p. The development of the public improvements set forth in the Amended Plan is of benefit to the Project Area and to the immediate neighborhood in which the project is located; no other reasonable means of financing such improvements are available to the community; and the payment of funds for the acquisition of land for and the cost of such improvements will assist in eliminating one or more blighting conditions in the Project Area. Based on these findings, the Agency is authorized to pay all or a part of the value of the land for and the cost of the installation and construction of the public improvements set forth in the Amended Plan, as permitted by Health and Safety Code section 33445 (see particularly Sections B, D, E and M of the Report to Council regarding evidence with respect to this finding).

q. The Existing Project Area and the Added Area, taken together as the Project Area, are predominantly urbanized as defined in Health and Safety Code section 33320.1(b) (see particularly Section A of the Report to Council regarding evidence with respect to this finding).

Section 3. Overruling of Objections. All written and oral objections to the Amended Plan are hereby overruled. In accordance with Health and Safety Code section 33363, the reasons for overruling all written objections are more fully set forth in the Findings.



Section 4. Approval of Redevelopment Plan. It is hereby found that the amendments to the Original Plan embodied in the Amended Plan are necessary and desirable. The Original Plan and Ordinance No. 012-04 are hereby amended in accordance with the amendment contained in the Amended Plan. The Amended Plan for the Project Area, having been duly received and considered, is approved and adopted, and the City Clerk is hereby directed to file a copy of the Amended Plan with the minutes of this meeting. The Amended Plan, which contains, among other elements, the statement of the purpose and intent of the City Council with respect to the Project Area, is incorporated in this Ordinance by reference. The Amended Plan is hereby designated as the official Redevelopment Plan for the Project Area. It is the purpose and intent of this City Council that the Amended Plan be implemented in the Project Area. A copy of this Ordinance shall be transmitted to the Agency and the Agency is vested with the responsibility of implementing the Amended Plan.

Section 5. Specific Purposes of City Council. It is the specific purpose and intent of the City Council with respect to the Project Area that the Amended Plan be implemented in order to:

- a. Eliminate the conditions of blight in the Project Area;
- b. Ensure, as far as possible, that the causes of the blighting conditions will be either eliminated or protected against;
- c. Encourage and ensure the appropriate development of the Project Area; and
- d. Encourage and foster the economic revitalization of the Project Area and the provision of affordable housing in the Project Area and other areas of the City.

Neither the list of purposes set forth above nor the lists of goals and objectives set forth in the Amended Plan and the Report to Council are intended to reflect a particular priority order. Rather, it is the intention of the City Council that the Amended Plan be implemented in a manner that will achieve an appropriate balance of the listed purposes, goals, and objectives taking into account redevelopment needs and opportunities that arise from time to time.

Section 6. Severability. If any provision, section, subsection, subdivision, sentence, clause or phrase of this Ordinance or the Amended Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Ordinance or the Amended Plan. In the event that any portion of the Project Area shall be determined to have been invalidly or incorrectly included in the Project Area, such invalidly or incorrectly included portion of the Project Area shall be deemed severable from the remainder of the Project Area, and the remainder of the Project Area shall remain fully subject to the provisions of the Amended Plan.



Section 7. Recordation. The Executive Director of the Agency is hereby directed to record the Amended Plan in compliance with the provisions of Health & Safety Code sections 33373 and 33456 and Government Code section 27295.

Section 8. Publication; Effectiveness. This Ordinance shall be published once in the Record, a newspaper of general circulation printed and published in San Joaquin County and circulated in the City of Stockton, within fifteen (15) days from and after its adoption, and shall take effect and be enforced thirty (30) days after its adoption.

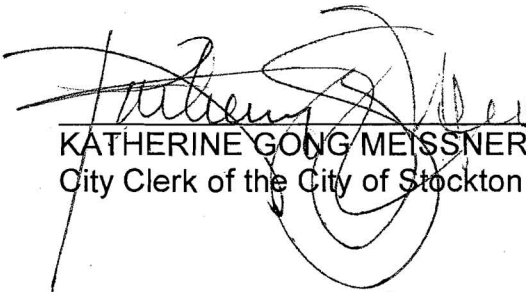
ADOPTED: NOV 15 2005

EFFECTIVE: DEC 15 2005



EDWARD J. CHAVEZ, Mayor  
of the City of Stockton

ATTEST:



KATHERINE GONG MEISSNER  
City Clerk of the City of Stockton



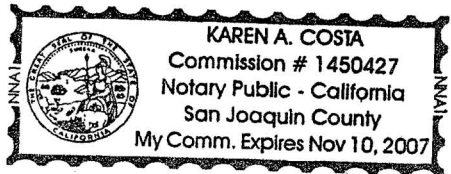
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STATE OF CALIFORNIA )  
COUNTY OF San Joaquin )

On this 16<sup>th</sup> day of November, 2005, before me, Karen A. Costa, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared Katherine G Meissner, personally know to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the City Clerk of the City of Stockton that executed the within document and acknowledged to me that City of Stockton did executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Karen A Costa  
KAREN A. COSTA, NOTARY PUBLIC  
in and for said County and State.

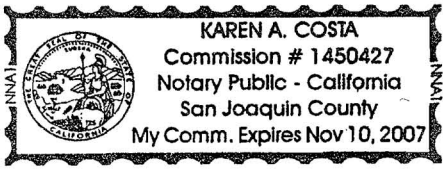


STATE OF CALIFORNIA )  
COUNTY OF San Joaquin )

On this 16<sup>th</sup> day of November, 2005, before me, Karen A. Costa, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared Edward J Chavez, personally know to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the Mayor of the City of Stockton that executed the within document and acknowledged to me that City of Stockton did execute the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Karen A Costa  
Karen A. Costa, NOTARY PUBLIC  
in and for said County and State.



**S** CITY OF STOCKTON  
STOCKTON CITY COUNCIL  
CITY HALL, STOCKTON, CALIFORNIA 95202  
TELEPHONE (209) 937-8459



**I, KATHERINE GONG MEISSNER, do hereby certify as follows:**

*I am the duly appointed, qualified City Clerk of the City of Stockton, a California municipal corporation; as such City Clerk, I am the custodian of the official records of the City Council of said City. The attached Ordinance is a full, true, and correct copy of Ordinance No. 017-05 of said City Council, which was adopted by the City Council on November 15, 2005 on file in the City Clerk's office.*

**IN WITNESS WHEREOF, I have hereto affixed my hand and the seal of the City of Stockton on November 16, 2005.**

**KATHERINE GONG MEISSNER, CITY CLERK  
CITY OF STOCKTON**

By

  
Dora M. Sidrian, Deputy Clerk

