

RECORDED AT REQUEST OF:

THE REDEVELOPMENT AGENCY OF
THE CITY OF STOCKTON

WHEN RECORDED MAIL TO:

Goldfarb & Lipman
1300 Clay Street, 9th Floor
City Center Plaza
Oakland, CA 94612
Attention: Phuong Y. Lam

NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383

ORDINANCE NO. 011-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STOCKTON
APPROVING AND ADOPTING THE THIRD AMENDMENT TO THE
AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE WEST
END URBAN RENEWAL PROJECT NO. 1, APPROVING THE
ENVIRONMENTAL DOCUMENTATION PREPARED FOR THE PLAN
AMENDMENT, AND MAKING CERTAIN FINDINGS PURSUANT TO THE
COMMUNITY REDEVELOPMENT LAW OF THE STATE OF
CALIFORNIA

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

WHEREAS, by the City Council Ordinance No. 686, adopted on October 9, 1961, the City Council of the City of Stockton adopted the Redevelopment Plan for the Stockton Redevelopment Project Area (the "Project Area"), as amended by City Council Ordinance No. 1078, adopted on April 6, 1964, as amended by Ordinance No. 1685, adopted on May 27, 1968, as amended by Ordinance No. 2567, adopted on September 3, 1974, as amended by Ordinance No. 3308, adopted on March 31, 1980, as amended by Ordinance No. 089-86, adopted on December 15, 1986, as amended by Ordinance No. 039-91, adopted on July 15, 1991, as amended by Ordinance No. 034-94, adopted on December 12, 1994, as amended by Ordinance No. 029-98, adopted on November 17, 1998, and as further by Ordinance No. 028-02, adopted on June 4, 2002 (collectively, the "Plan"); and

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (the "Redevelopment Law"), the Redevelopment Agency of the City of Stockton (the "Agency") has recommended certain amendments to the Plan that,

CITY CITY UPF
REVIEW _____

DATE DEC 17 2003

011-03

among other things, would extend the Agency's deadline for commencement of eminent domain proceedings by the maximum extent permitted by applicable law but not more than twelve years from the current deadline; and

WHEREAS, the Agency has made studies of the impact of the proposed amendments to physical condition of structures, environmental influences, land uses, and social, economic and cultural conditions and has determined that the proposed amendments will promote the proper redevelopment of the Project Area in accordance with the goals, objectives, and policies of the City of Stockton's General Plan, the Plan and the Redevelopment Law; and

WHEREAS, the Agency has prepared and submitted to the City Council of the City of Stockton (the "City Council") for review and adoption the proposed amendments to the Plan which amendments are incorporated in a Third Amendment to the Amended and Restated Redevelopment Plan for the West End Urban Renewal Project No. 1 (the "Plan Amendment"), a copy of which is on file with the City Clerk of the City of Stockton; and

WHEREAS, the Agency has prepared and submitted, and the City Council has reviewed and considered, a written report on the proposed amendments (the "Report") pursuant to Health and Safety Code Section 33457.1, a copy of which is on file with the City Clerk of the City of Stockton; and

WHEREAS, the City Council has reviewed the California Environmental Quality Act (the "CEQA") Notice of Exemption (the "Notice of Exemption") prepared for the Plan Amendment pursuant to the CEQA Guidelines; and

WHEREAS, the purpose of the Plan Amendment is to extend the deadline for commencement of eminent domain proceedings to the maximum extent allowed by law but not more than twelve years from the current deadline. These amendments will not change the uses permitted within the Project Area; and

WHEREAS, the Planning Commission, which is the duly designated and acting official planning body of the City of Stockton, has submitted to the City Council its report and recommendation dated February 13, 2003, recommending approval and adoption of the Plan Amendment, and has certified that the Plan Amendment conforms to the General Plan; and

WHEREAS, on March 18, 2003, the City Council and the Agency conducted a joint public hearing on the Plan Amendment which was duly noticed in accordance with the requirements of the Redevelopment Law; and

WHEREAS, the City Council and Agency received no written objections to the Plan Amendment at or prior to the joint public hearing on the Plan Amendment.

011-03

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

Section 1. In accordance with California Health and Safety Code Sections 33367 and 33457.1, and based upon the evidence contained in the Report on the Plan Amendment and on the evidence presented at the joint public hearing, the City Council finds and determines with respect to the Plan Amendment that:

a) The Project Area continues to contain significant blighted properties, the redevelopment of which is necessary to effectuate the public purposes of the Redevelopment Law (see particularly Part II of the Report regarding evidence with respect to this finding).

b) The Plan Amendment conforms to the General Plan (see particularly Part VII of the Report regarding evidence with respect to this finding).

c) The Plan Amendment 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 Plan Amendment would promote the public peace, health, safety and welfare of the City of Stockton, and would effectuate the purposes and policy of the Redevelopment Law (see particularly the Introduction and Parts I and II of the Report regarding evidence with respect to this finding).

d) The adoption and implementation of the Plan Amendment are economically sound and feasible (see particularly Part IV of the Report regarding evidence with respect to this finding).

e) The Plan Amendment will not affect the status of tax increment financing in the Project Area and, consequently, will not cause significant financial burden or detriment on any taxing agency deriving revenues from the Project Area (see particularly Part IV of the Report regarding evidence with respect to this finding).

f) The Agency has a feasible method of plan for the relocation of families and persons which may be displaced from the Project Area if the Plan Amendment may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area (see particularly Parts V and XIII of the Report regarding evidence with respect to this finding).

g) The condemnation of real property, if any, is necessary to the execution of the Plan Amendment and adequate provisions have been made for payment of property to be acquired as provided by law (see particularly Parts I, II, V, and XIII of the Report regarding evidence with respect to this finding).

h) There are, or are being 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 (see particularly Parts V and XIII of the Report regarding evidence with respect to this finding).

i) 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 housing facilities at rents comparable to those in the community at the time of their displacement (see particularly Parts V and XIII of the Report regarding evidence with respect to this finding).

j) The matters set forth in Health and Safety Code Section 33367 (d)(1), (d)(9), (d)(10), (d)(11), d(12) and (d)(13) are not applicable to or affected by the amendments incorporated in the Plan Amendment, and consequently no further findings with respect to such matters are required (see particularly the Introduction, Parts I, II, VI and XI of the Report regarding evidence with respect to this finding).

Section 2. The City Council hereby further finds and determines that the activity is not a "project" as defined in CEQA Guideline 15378 and that there is no potential for causing significant environmental effects, as specified in CEQA Guideline 15061(b)(3) (see particularly Part X of the Report regarding evidence with respect to this finding).

Based on the foregoing, the City Council hereby adopts and approves the Notice of Exemption on the Plan Amendment.

Section 3. It is the continuing purpose and intent of the City Council that the Plan Amendment be implemented in order to continue to:

- a) Eliminate the conditions of blight;
- 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 redevelopment of the Project Area; and
- d) Encourage and foster the economic revitalization of the Project Area, as necessary.

Section 4. All oral objections to the Plan Amendment are hereby overruled.

Section 5. It is hereby found and determined that the proposed amendments embodied in the Plan Amendment are necessary and desirable. The Plan, all

amendments and restatements of the Plan, and all ordinances adopting or previously amending the Plan are hereby amended in accordance with the Plan Amendment.

The Plan Amendment is hereby adopted, approved and designated as the official redevelopment plan for the Project Area. The Plan Amendment, consisting of two pages and five exhibits, is incorporated in this Ordinance by reference and made a part of the Ordinance as if set out in full in the Ordinance. The City Clerk of the City of Stockton is hereby directed to file a copy of the Plan Amendment with the minutes of this meeting. The Agency is vested with the continuing responsibility to implement the Plan Amendment.

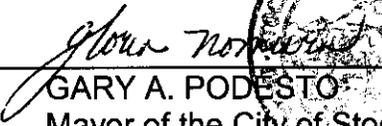
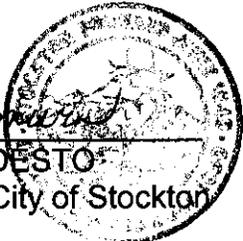
Section 6. The Executive Director of the Agency is hereby directed to record the Plan Amendment in compliance with the provisions of Health and Safety Code Section 33456 and Government Code Section 27295.

Section 7. If any provision, section, subsection, subdivision, sentence, clause or phrase of this Ordinance or the Plan Amendment 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 Plan Amendment.

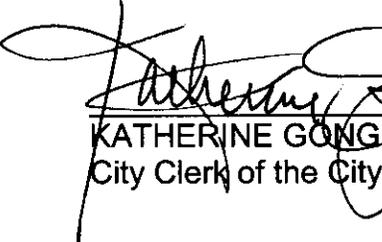
Section 8. This Ordinance shall be published once in the Stockton Record, a newspaper of general circulation printed and published in San Joaquin County and circulated in the City of Stockton within fifteen (15) days from and after its adoption, and shall take effect and be enforced thirty (30) days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

ADOPTED: MAR 18 2003

EFFECTIVE: APR 17 2003


GARY A. PODESTO
Mayor of the City of Stockton


ATTEST:


KATHERINE GONG
City Clerk of the City of Stockton


::ODMA\GRPWISE\COS.CA.CA_LIBRARY:23213.1

STATE OF CALIFORNIA)
)
COUNTY OF SAN JOAQUIN)

On this _____ day of _____, 2003, before me, _____,
a Notary Public in and for the said County and State, residing therein, duly
commissioned and sworn, personally appeared _____,
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.

_____, NOTARY PUBLIC
in and for said County and State.

STATE OF CALIFORNIA)
)
COUNTY OF SAN JOAQUIN)

On this _____ day of _____, 2003, before me, _____,
a Notary Public in and for the said County and State, residing therein, duly
commissioned and sworn, personally appeared _____,
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.

_____, NOTARY PUBLIC
in and for said County and State.