B-1

CITY OF LODI
COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing of the City Council and the Redevelopment Agency of the City of Lodi to Consider a Resolution Certifying the Adequacy of the Final Program Environmental Impact Report for the Lodi Community Improvement Project; a Resolution Finding that the Use of Taxes Allocated from the Lodi Community Improvement Project for the Purposes of Increasing, Improving, and Preserving the Community's Supply of Low- and Moderate-Income Housing Outside the Project Area will be of Benefit to the Project; and Consideration by the City Council of the Introduction of an Ordinance Adopting the Proposed Redevelopment Plan for the Lodi Community Improvement Project

MEETING DATE: May 28, 2008 (Special Meeting)

PREPARED BY: City Manager

RECOMMENDED ACTION: Conduct a joint public hearing of the City Council and the Redevelopment Agency with regard to the proposed adoption of an ordinance to establish the Redevelopment Plan (without the power of eminent domain) for the Lodi Community Improvement Project and other associated actions including adopting a resolution of the Redevelopment Agency of the City of Lodi transmitting the Report to City Council on the Lodi Community Improvement Project, resolutions of the Council and Agency to certify the Final Program Environmental Impact Report (EIR) and adoption of related resolution(s) by the Council and Agency.

BACKGROUND INFORMATION: Community Redevelopment Law requires that each of the governing boards of both the redevelopment agency and city council conduct a public hearing prior to the approval of a redevelopment plan. That public hearing may be conducted as a joint public hearing.

In 2002, the City Council considered the formation of a Redevelopment Project. Concerns with the possibility of eminent domain caused the then Council to terminate proceedings related to adoption of the Plan. Subsequently, on April 19, 2006, the City Council adopted Ordinance Nos. 1775 and 1776, which prohibit the City and the Redevelopment Agency from acquiring property through eminent domain to be used by a private entity for private profit.

With this limitation in place, in July 2007 the City Council directed staff to explore the formation of a Redevelopment Project without the power of eminent domain.

The Council expressed interest in providing funds to address infrastructure needs, stimulate the economy, improve the tax base, create jobs, improve housing, and provide public facilities in the eastside of Lodi. Redevelopment through the collection of tax increment provides the City with a potential revenue source to address community needs without raising taxes.

APPROVED: _____

Blair King, **City Manager**

The action now before the Agency and City Council represent the culmination of a year's worth of work to develop a Redevelopment Plan that does not include eminent domain. In order to provide information to the public, approximately 19 meetings were held with various organizations and for the general public. Staff met with every taxing entity in the County affected by the proposed Plan. Also two citywide mailings were completed.

The Lodi Chamber of Commerce, the Lodi Chamber of Commerce Governmental Affairs Committee, the Lodi Chamber of Commerce Hispanic Business Committee, and the Lodi Conference and Visitors Bureau have indicated support for the adoption of the Redevelopment Plan. Various individuals have indicated their opposition through letters to the editor and public comments.

The Lodi Community Improvement Project includes approximately 2,000 acres. The area generally lies east of Sacramento Street, takes in the eastside industrial area, the Kettleman Lane corridor to Ham Lane, the entire length of Cherokee Lane, the Lockeford Street corridor, Victor Road to the City limits, and the Lodi Avenue corridor west to Ham Lane.

Redevelopment Law requires that every redevelopment plan submitted by an agency to the city council be accompanied by a report that summarizes the key elements of the process to draft the redevelopment plan. The Report to the City Council for the Lodi Community Improvement Project has previously been available to the Council for approximately a week and a half. The Report contains legally required information as well as the Redevelopment Plan. In essence, the Report to the City Council is an overview of the entire process.

The Redevelopment Plan has no power of eminent domain. The Redevelopment Plan itself requires it to conform to the General Plan. The Redevelopment Plan includes the proposed boundaries. The Plan provides for a wide variety of activities including investment in infrastructure, economic development activities, and affordable housing. The Plan anticipates the use of tax increment revenue with the collection of tax increment ending in 45 years. The Plan allows, but does not require, the Agency to issue bonds for major capital expenses.

Redevelopment Law requires that an EIR be prepared when considering the adoption of a redevelopment project. Because the Redevelopment Plan itself conforms to the General Plan and is a financing tool vs. a land use tool, a Program EIR was prepared by GRC Redevelopment Consultants. Future development assumptions used for the analyses in the EIR were based upon the Lodi General Plan to reflect the City's current General Plan goals and policies for the Project Area. If adopted, the Project will be a tool for implementing the provisions of the General Plan as it exists now or may be modified in the future. A total of three comments were received in response to the Draft Program EIR: one comment was directed at the merits of adopting the Project; the second comment from the California Highway Patrol concerning fiscal impacts upon the CHP from increased traffic is a matter for additional environmental documentation in the future as specific improvements occur within the Project Area; and the third was from the California Department of Transportation. This last comment requested detailed traffic impact studies as development occurs. A verbal comment on the Draft EIR was received at the April 16, 2008, Planning Commission meeting. This verbal comment questioned the public notification process used in circulating the Draft EIR.

Certification of the Final Program EIR is required by both the Agency, as the body that originated the proposed Redevelopment Plan, and the City Council, as the legislative body, with final authority and discretion over the approval of the proposed action.

Redevelopment Law allows an agency to use its housing set-aside funds outside of a project area. This is intended to avoid an over-concentration of affordable housing and to provide the greatest flexibility to expend the funds for the benefit of low- and moderate-income residents. Housing funds are typically used to rehabilitate existing structures and can be used to provide for ownership opportunities. The final use of housing set-aside funds will be determined at the discretion of the City Council/Agency Board. Adoption of the proposed resolution will allow housing funds to be spent anywhere within the City limits.

On April 16, 2006, the Planning Commission considered the proposed Redevelopment Plan. The Planning Commission found the draft Redevelopment Plan to be in conformance with the City's General Plan and recommended to the Agency and City Council that the Redevelopment Plan be approved. The Planning Commission also removed certain territory from the proposed Project Area.

During or before the joint public hearing, individuals or groups may file written objections to the proposed Plan. If there are written objections, the Council should close the public hearing and direct that the written objections be considered and responded to with good-faith reasoned analysis. The Council also has the option of excluding property from the Project Area and changing the Plan.

In the case of Lodi's public hearing, this is a special meeting and ordinances may not be adopted at a special meeting; therefore, it is anticipated that upon the close of the public hearing, no further action will be taken by the City Council until June **18** in order to respond to any written objections.

Pursuant to Redevelopment Law, notice of the public hearing has been published once a week for four successive weeks. Notices have been mailed by first-class mail to the last known assessee of each parcel in the project area to all residents and businesses and to each taxing entity.

FISCAL IMPACTS: One of the fundamental purposes in adopting the Redevelopment Plan is to receive tax increment to invest in the Project Area. Other financial resources available to improve the community and stimulate economic development are limited. The City's General Fund is fully committed. New property owner assessments may prevent reinvestment. Grants from the state and federal government are not expected to be forthcoming; nevertheless, the City continues to seek them.

Based upon one scenario of growth, it is estimated that new tax increment generated by the redevelopment project over a 45-year period will produce $242.1 million for low- and moderate-income housing and $566 million for discretionary tax increment eligible projects in future dollars.

The Final Program EIR is attached. (NOTE: Please bring the three-ring binder of the ***"Draft Report to City Council for the Lodi Community Improvement Project-*** with you.)

Blair King, City Manager

BK
Copy: Planning Commission

May 21, 2008

Final Program Environmental Impact Report for the Lodi Community Improvement Project

Redevelopment Agency of the City of Lodi

SCH NO. 2008022053

GRC REDEVELOPMENT CONSULTANTS
701 S. Parker Street
Suite 7400
Orange, CA 92868

FINAL

PROGRAM ENVIRONMENTAL IMPACT REPORT

for the

Lodi Community Improvement Project

(SCH NO. 2008022053)

May 21, 2008

Prepared for:
Redevelopment Agency of the City of Lodi
221 W. Pine Street
Lodi CA 95241-1910
(209) 333-6700

Prepared by:
GRC Redevelopment Consultants, Inc.
701 S. Parker Street, Suite 7400
Orange, CA 92868
(714) 234-1122

Lodi Community Improvement Project

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INTRODUCTION

This document, when combined with the Draft Environmental Impact Report (DEIR), constitutes the Final EIR (FEIR) for the proposed Lodi Community Improvement Project, referred to herein as the "Project", pursuant to Section 15132 of the State of California Environmental Quality Act Guidelines ("CEQA Guidelines").

The DEIR contains a complete description of the proposed Project, a description of existing environmental conditions in the approximately 2,159 acres of territory proposed for inclusion in the Lodi Community Improvement Project Area (referred to as "the Project Area"), a discussion of the Project's potential environmental effects, and mitigation measures to reduce or eliminate adverse impacts. The DEIR was circulated for public review and comment between from April 2, 3008 to May 16, 2008.

Comments on the DEIR were received from the following two public agencies and one resident:

- State of California Department of Transportation (Caltrans)
- California Department of Highway Patrol
- James McCarty, Resident.

The comments received did not identify new substantial impacts or require changes to the analyses or findings of the DEIR. Therefore, there is no requirement to revise or recirculate the DEIR.

Also contained in this FEIR is the Mitigation Monitoring Program for the Project.

RESPONSES TO COMMENTS

The comment letters and responses to the comments are included in this section. Each comment letter is provided, then a reiteration of the relevant comment *[italicized]*, and a response to the relevant comment.

04/22/2008 11:44 7142341126 GRC REDEVELOPMENT PAGE 03/04
04/22/2008 11:31 FAX 2093336807 CITY OF LODI 003
Apr. 22. 2008 10:43AM No. 0580 P. 2

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

Flex your power!
Be energy efficient!

April 22, 2008

10-SJ-Various
SCH#2008022053 (DEIR)
Lodi Community
Improvement Project

Blair King
City of Lodi
Planning Division
221 West Pine Street
Lodi, CA 95241-1910

Dear Ms. King:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) application for the proposed Lodi Community Improvement Project. The project is a Redevelopment Plan for approximately 2,400-acre area generally located east of Sacramento Street to the eastern border of the City, with some areas extending west to Ham Lane. The comments provided in the letter dated March 7, 2008 still apply, they are as follows:

The Environmental Impact Report (EIR) for the General Plan was done on a programmatic level and generally identified capital improvement projects (CIP) contained in the circulation element of the General Plan. The Draft Environmental Impact Report (DEIR) for the Redevelopment Plan should tier off of the program level and provide specific assessments of transportation needs for this area along with the general cost estimates and funding responsibilities.

The Department concurs with the statement on page 2, of the "Initial Study for the Lodi Community Improvement Project", that states "Because future development within the Project Area must occur within the established parameters of the prevailing General Plan, implementation of the Redevelopment Plan will not result in any unanticipated development or densities within the Project Area."

TRAFFIC OPERATIONS

A traffic impact study (TIS) is necessary to determine this project's near-term and long-term impacts to State facilities – both existing and proposed – and to propose appropriate mitigation

"Caltrans improves mobility across California"

measures. The department recommends that the study be prepared in accordance with the *Caltrans Guide for the Preparation of Traffic Impact Studies,* dated December 2002 (Guide). The TIS should include all approved and pending projects within the vicinity.

The Department recommends that the City encourage the developer to submit a scope of work for conducting the TIS prior to circulating the local development application for comment in order to expedite the Department's review. The Department is available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS. This will help insure that a quality TIS is prepared.

An Encroachment Permit will be required for work (if any) done within the Department's right of way. This work is subject to the California Environmental Quality Act (CEQA). Therefore, environmental studies may be required as part of the encroachment permits application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of your permit application, they should be prepared in standard units.

ENVIRONMENTAL

The Department has the responsibility for the maintenance and operation of State and Interstate highways within California. Any proposal that would affect that, or environmental resources within the existing highway right-of-way, is of concern to the Department. The proposed project will impact state facilities, State Route 12 (SR 12) and State Route 99 (SR 99). The proponent will need to submit a complete encroachment permit application with Caltrans in order to make any improvements to Caltrans facilities. A copy of the Environmental Impact Report (EIR) to be completed by the proponent should be sent to Caltrans for Environmental review and comments. Caltrans District 10 will focus on the impacts the proposal will have on the operations of SR 12 and SR 99 and environmental resources within existing highway right-of-way.

If you have any questions or would like to discuss our comments in more detail, please contact Kathy Selsor at (209) 948-7190 (e-mail: kathy_selsor@dot.ca.gov) or me at (209) 941-1921.

Sincerely,

Kathy Selsor for

TOM DUMAS, CHIEF
OFFICE OF METROPOLITAN PLANNING

c: SMorgan State Clearinghouse

"Caltrans improves mobility across California"

Commentator: State of California Department of Transportation; Tom Dumas, Chief, Office of Metropolitan Planning; in a letter dated April 22, 2008.

Comment #1:

The Department concurs with the statement on page 2, of the "Initial Study for the Lodi Community Improvement Project", that states "Because future development within the Project Area must occur within the established parameters of the prevailing General Plan, implementation of the Redevelopment Plan will not result in any unanticipated development or densities within the Project Area."

Response to Comment #1:
The Agency acknowledges Caltrans' concurrence with the Project environmental assessment. No response is required.

Comment #2:

A traffic impact study (TIS) is necessary to determine this project's near term and long term impacts to State facilities.

Response to Comment #2:
As acknowledged by Caltrans in Comment #1, above, the Redevelopment Plan will not result in any unanticipated development or densities within the Project Area. Accordingly, future increases in traffic volumes will result primarily from cumulative development throughout the Project Area, which are a function of General Plan's land use and circulation policies. The Project is not expected to cause traffic increases requiring a TIS.

However, as discussed in Section 4.3 of the DEIR, as development projects come forward that could impact state highway facilities, standard City development policies require the project developers to provide a TIS in accordance with the *Caltrans Guide for Preparation of Traffic Impact Statements*, and to submit a scope of work to Caltrans for review and approval prior to study commencement. Therefore, no further response to Caltrans' Comment #2 is required, and there is no requirement to revise or recirculate the DEIR.

Comment #3:

An encroachment permit will be required for work (if any) done within the Department's right-of-way. This work is subject to CEQA...The proposed project will impact state facilities, SR 12 and SR 99. The proponent will need to submit a complete encroachment permit application to Caltrans in order to make improvements to Caltrans facilities.

Response to Comment #3:
As discussed in Section 4.3 of the DEIR, the Project does not propose any specific improvements within Caltrans' right-of-way, nor will it result in

significant increases in traffic on state facilities. However should future development activities affect Caltrans' rights-of-way, all such work would be required by standard City development policies to comply with Caltrans specifications, including obtaining appropriate encroachment permits and conducting appropriate TIS analyses.

The DEIR recognizes that such activities may require CEQA review. As stated in the Preface of the DEIR: "Subsequent activities of the Redevelopment Plan will be examined in the light of this program EIR to determine whether an additional environmental document must be prepared. Because the timing and scope of future improvement projects to be undertaken with Agency funds in the Project Area are not known at this time, subsequent projects will likely require additional environmental analyses."

Therefore, no further response to Caltrans' Comment #3 is required, and there is no requirement to revise or recirculate the DEIR.

04/30/2008 12:07 FAX 2093336807 CITY OF LODI 002

State of California—Business, Transportation and Housing Agency ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
3330 Ad Art Road
Stockton, CA 95208
(209) 943-8666
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

APR 30 2008
CITY MANAGER'S OFFICE

April 11, 2008

File No.: 265.13668.9921.Lodi Community Improvement Project

Mr. Ernie Glover
Redevelopment Agency for the City of Lodi
21 West Pine Street
Lodi, CA 95241

Dear Mr. Glover:

Thank you for the opportunity to review the Lodi Community Improvement Project / Environmental Impact Report (EIR). The Lodi Community improvement Project will encompass 2,407.14 acres of land in the area of SR-99 and Highway 12. (SCH# 2008022053). The project will involve a total of 2,971 parcels for residential, 856 parcels for commercial and industrial, a parcel for a school, 22 parcels for a church, 101 parcels for the public and a handful of additional parcels.

Although the EIR indicates that the future increase in traffic volumes is in function of the general plan and will be less than significant, it stops short of addressing the negative impact and increased traffic volumes on local freeways. Therefore, I would like to recommend the City of Lodi work closely with the Department of Transportation (Caltrans) as well as the CHP in developing long range and short-term plans that are beneficial to all the citizens utilizing the highway system.

The impacts on local traffic created by this project will be significant and felt by local commuters. This project will require the CHP to redirect staffing to effectively manage traffic absent an increase in resources. The impacts of this project should be further addressed in the project's EIR. Should you have any questions, please feel free to call my staff at (209) 943-8666.

Sincerely,

J. E. DIAL, Captain
Commander
Stockton Area

Commentator: California Department of Highway Patrol; J.E. Dial, Captain; in a letter dated April 11, 2008.

Comment #1:
Although the EIR indicates that the future increase in traffic volumes is (a) function of the General Plan and will be less than significant, it stops short of addressing the negative impact and increased traffic volumes on local freeways.

Response to Comment #1:
As acknowledged by Caltrans in Comment #1, above, the Redevelopment Plan will not result in any unanticipated development or densities within the Project Area. Future increases in traffic volumes will result from cumulative development as a result of the existing General Plan and regional policies. The Project is not expected to cause significant traffic increases on local freeways.

As discussed in Section 4.3 of the DEIR, as development projects come forward that could impact state highway facilities, including local freeways, standard City development policies require that project developers provide a TIS in accordance with the *Caltrans Guide for Preparation of Traffic Impact Statements.* Such activities, as discussed in response to Caltrans Comment #3, could require subsequent CEQA evaluation and, if appropriate, mitigation. Therefore, no further response to Highway Patrol's Comment #1 is required, and there is no requirement to revise or recirculate the DEIR.

April 24 2008

RECEIVED

APR 2 8 2008

City Clerk
City of Lodi

City Clerk
City of Lodi
221 West Pine Street
Lodi, CA 95240

I, as a property owner in the proposed City of Lodi Redevelopement Area, hereby lodge a protest against the E.I.R. related to the proposed Redevelopement Agency for the City of Lodi.

The Enviromental Impact Report, as presented, does not sufficiently address the effect on the ethnic groups in the proposed area once they have been decreed as living in blight.

The question here is, with the blight stigma attached to them, will they continue to exhibit motavation to improve their living area?

The second question that must be addressed is what effect will the blight label have when these Lodi Citizens will seek financing for improvements on houses and businesses, but will be denied loans because they are in a blighted area?

Respectfully Submitted
James A. McCarty
16830 N. Rous Lane
Lodi, CA 95240

P.S. My immediate interest is that I have property interests in the proposed blighted area.

Commentator: James McCarty, Resident at 221 West Pine Street: in a letter dated April 4, 2008.

Comment #1:

The Environmental Impact Report as presented does not sufficiently address the effect on the ethnic groups in the proposed area once they have been decreed as living in blight.

Response to Comment #1:
The purpose of CEQA is to address the potential physical changes that a project could cause on the environment. Socio-economic issues and impacts are only relevant if they result in physical changes in the environment. As discussed in the EIR, the proposed project is expected to alleviate existing conditions of blight; and would therefore not be expected to have socio-economic impacts that could adversely affect the physical environment. Therefore, no further response to Mr. McCarty's Comment #1 is required, and there is no requirement to revise or recirculate the DEIR.

Comment #2:

Will ethnic groups, "… continue to exhibit motivation to improve their living conditions …" once the "… blight stigma is attached to them."

Response to Comment #2:
This is a comment on the proposed redevelopment plan itself, and not on the EIR. The comment will be addressed as part of the Redevelopment Agency's Report to City Council. Therefore, no further response to Mr. McCarty's Comment #2 within the EIR required, and there is no requirement to revise or recirculate the DEIR.

Comment #3:

What effect will the blight label have when these Lodi Citizens will seek financing for improvements on houses and businesses, but will be denied loans because they are in a blighted area?

Response to Comment #3:
This is a comment on the proposed redevelopment plan itself, and not on the EIR. The comment will be addressed as part of the Redevelopment Agency's Report to City Council. Therefore, no further response to Mr. McCarty's Comment #3 within the EIR required, and there is no requirement to revise or recirculate the DEIR.

City of Lodi

Lodi Community Improvement Project
(SCH NO. 2008022053)

MITIGATION MONITORING PROGRAM

PROJECT NAME: Lodi Community Improvement Project

APPROVAL DATE: _____ FILE NUMBER: _____

The following environmental mitigation measures shall be incorporated into individual development projects within the Project Area as conditions of approval, as appropriate, and as applicable pursuant to City General Plan policies, ordinance provisions and related policies. Individual project applicants shall secure a signed verification for each of the mitigation measures indicating that a mitigation measure has been complied with and implemented, and fulfills the City's environmental requirements. (Public Resources Code Section 21081.6.) Final clearance shall require all verifications included in the form.

MITIGATION MEASURE	TIMING	IMPLEMENTATION RESPONSIBILITY	VERIFICATION OF COMPLIANCE		
			Monitoring Action:	Monitoring Responsibility	Date Completed
AIR QUALITY - AQ-1: Future development proposals in the Project Area shall be subject to compliance with the established SJVAPCD Rules and Regulations Manual, which may include air quality impact studies and subsequent CEQA analysis. The City Community Development Director shall ensure compliance.	During staff review of a proposed development project	Applicant, City Community Development Department staff	Review of project applications and preparation of Initial Studies, air quality impact assessments and other environmental documentation as may be required	Community Development Director	
AQ-2: Future development proposals in the Project Area shall be subject to compliance with a City adopted "green design" or "sustainable development" ordinance should such ordinance be adopted prior to project development. If such ordinance is not adopted prior to project development, each development shall be encouraged to incorporate any or all of current available energy-conservation features and "green" technologies into the project design.	During staff review of a proposed development project	Applicant	Submission of a development plans in compliance with green design" or "sustainable development" ordinance should such ordinance be adopted prior to project development	Community Development Director	

MITIGATION MEASURE	***TIMING***	***IMPLEMENTATION RESPONSIBILITY***	***VERIFICATION OF COMPLIANCE***		
			Monitoring Action:	***Monitoring Responsibility***	***Date Completed***
CULTURAL RESOURCES – CUL-1: Prior to issuance of any permits related to the exterior demolition, structural repair or construction on structures over 45 years of age and which are considered based on available City records to be potentially historically significant, a historical resource survey shall by conducted by a qualified consultant. Should the structure be found to be potentially significant, mitigation measures recommended by the historical resources consultant shall be considered for inclusion in the project. The City Community Development Director shall ensure compliance.	Prior to issuance of any permits related to the exterior demolition, structural repair or construction on structures over 45 years of age and which are considered based on available City records to be potentially historically significant	Applicant, City Community Development Department staff	Preparation and review of a historical resource survey	Community Development Director	

DRAFT

RESOLUTION NO. RDA2008-____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI APPROVING AND TRANSMITTING ITS REPORT ON THE LODI COMMUNITY IMPROVEMENT PROJECT TO THE CITY COUNCIL OF THE CITY OF LODI

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has prepared a Redevelopment Plan for the Lodi Community Improvement Project (the "Improvement Plan") in compliance with the California Community Redevelopment Law (Health and Safety Code, Sections 33000, et seq.; the "CRL"); and

WHEREAS, Section 33352 of the CRL states that every redevelopment plan submitted by a redevelopment agency to the legislative body shall be accompanied by a report on the plan; and

WHEREAS, the Agency has prepared its report (the "Report to the City Council") as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Lodi as follows:

SECTION 1. Pursuant to Section 33352 of the CRL, the Agency has prepared its Report to the City Council for the Lodi Community Improvement Project, submitted under separate cover and made a part hereof by this reference.

SECTION 2. The Agency hereby approves its Report to the City Council on the Lodi Community Improvement Project.

SECTION 3. The Executive Director of the Agency is hereby authorized and directed to transmit the Report to the City Council to the City Council.

SECTION 4. The Secretary shall certify to the passage and adoption of this resolution, and it shall thereupon take effect and be in force.

Dated: _____, 2008

==========

I hereby certify that Resolution No. RDA2008-___ was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a regular meeting held _____, 2008, by the following vote:

AYES: MEMBERS –

NOES: MEMBERS –

ABSENT: MEMBERS –

ABSTAIN: MEMBERS –

_____
JOANNE MOUNCE
Chairperson
City of Lodi Redevelopment Agency

Attest:

_____
RANDI JOHL
Secretary
City of Lodi Redevelopment Agency

DRAFT

RESOLUTION NO. RDA2008-_____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE REDEVELOPMENT PLAN FOR THE LODI COMMUNITY IMPROVEMENT PROJECT

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has initiated a Redevelopment Plan for the Lodi Community Improvement Project (the "Redevelopment Plan"); and

WHEREAS, the Planning Commission of the City of Lodi has approved and forwarded to the Agency and the City of Lodi its report that the proposed Redevelopment Plan is in conformity with the General Plan of the City of Lodi and has recommended approval of said Redevelopment Plan; and

WHEREAS, a Draft Environmental Impact Report (the "Draft EIR") was prepared for the Redevelopment Plan pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000, *et seq.*) ("CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, California Code of Regulations Sections 15000, *et seq.*) (the "CEQA Guidelines"); and

WHEREAS, the Draft EIR was sent to the City of Lodi Planning Commission (the "Commission"), and the Commission held a public meeting to receive public input on the adequacy of the Draft Environmental Impact Report; and

WHEREAS, all actions required to be taken by applicable law related to the preparation, circulation, and review of the Draft EIR have been taken; and

WHEREAS, pursuant to public notice duly given, the City Council of the City of Lodi (the "City Council") and the Agency held a full and fair public hearing on the proposed Redevelopment Plan and Final Environmental Impact Report ("Final EIR") on May 28, 2008; and

WHEREAS, the Agency is the lead agency for the Redevelopment Plan under CEQA; and

WHEREAS, the Agency has reviewed and considered the Final EIR and the mitigation monitoring program included therein with respect to the Redevelopment Plan (the "Mitigation Monitoring Program"), including all comments and responses thereto; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF LODI DOES HEREBY RESOLVE:

SECTION 1. The Final EIR has been completed in compliance with CEQA and the CEQA Guidelines, as well as the local CEQA guidelines.

SECTION 2. The Agency hereby certifies that a full and fair public hearing has been held on the Final EIR, including all comments received thereon and responses thereto, which comments and responses are included in the Final EIR; the Agency as the lead agency has reviewed and considered the Final EIR and the information contained therein prior to deciding whether to approve the proposed Redevelopment Plan, including all comments received thereon and responses thereto; and the Agency finds that the Final EIR reflects the independent judgment of the Agency. These actions having been taken, the Final EIR is hereby approved and certified by the Agency.

SECTION 3. The Agency hereby makes and adopts the following findings of fact as set forth in the Final EIR:

Environmental impacts of the Redevelopment Plan will be less than significant without mitigation for aesthetics, agricultural resources, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic and utilities.

Certain environmental impacts related to the Redevelopment Plan are potentially significantly adverse, but will be mitigated to less than significant level by conditions imposed upon the Redevelopment Plan in the area of air quality and cultural resources. Such impacts and mitigations are identified in Sections 4.4 Air Quality and 4.7 Cultural Resources of the Draft EIR portion of the Final EIR.

All feasible mitigation measures, which are within the jurisdiction of the Redevelopment Agency of the City of Lodi as identified in the Final Environmental Impact Report, have been incorporated into the project and represent the fullest extent to which the project-related impacts can be reasonably avoided and/or substantially lessened.

SECTION 4. The Agency hereby adopts the Mitigation Monitoring Program set forth in the Final EIR, which is hereby incorporated herein by reference, and finds that the mitigation measures and Mitigation Monitoring Program set forth in the Final EIR will eliminate, mitigate, avoid, or reduce to a level of significance, all potentially significant environmental effects of the Redevelopment Plan. The Agency hereby requires that such mitigation measures and the Mitigation Monitoring Program shall be implemented in connection with, and are hereby made a part of, the Redevelopment Plan.

SECTION 5. The Agency finds that the project alternatives identified in the Final EIR, including the No Project alternative and the Reduced Project Area alternative, either would not reduce environmental impacts, or would not achieve the primary objectives of the Redevelopment Plan, and such alternatives are therefore infeasible, and the proposed Redevelopment Plan is the environmentally superior alternative.

SECTION 6. The Agency shall make available the Final EIR and other related materials which constitute the record of the proceedings upon which its decision is based at the Lodi City Hall, 221 W. Pine Street, in the City of Lodi, California.

SECTION 7. Based on the Initial Study and the entire record before the Agency, the Agency declares that there is no evidence before it that the Redevelopment Plan has any potential for an adverse effect on wildlife resources or habitats and has rebutted the presumption of adverse effects set forth in Title 14, California Code of Regulations, Section 753.5(d).

SECTION 8. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence in the record of the proceedings on the Redevelopment Plan and the Final EIR, which include, among other things, the City of Lodi General Plan and the City of Lodi zoning regulations. The documents, staff reports, plans, specifications, technical studies, and other relevant materials, including, without limitation, the Final EIR, that constitute the record of proceedings on which this Resolution is based are on file and available for public examination during normal business hours in the Agency offices, 221 W. Pine Street, Lodi, California. The custodian of said records is the Secretary of the Agency.

SECTION 9. Upon approval of the Plan by the City, the Agency Secretary shall cause a Notice of Determination to be filed forthwith in the Office of the County Clerk of the County of San Joaquin and the State Clearinghouse pursuant to CEQA Guidelines Section 15094.

SECTION 10. That the Chairman shall sign this resolution and the Secretary shall attest and certify to the passage and adoption thereof.

Dated: _____, 2008

==========

I hereby certify that Resolution No. RDA2008-___ was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a regular meeting held _____, 2008, by the following vote:

AYES: MEMBERS –

NOES: MEMBERS –

ABSENT: MEMBERS –

ABSTAIN: MEMBERS –

_____
JOANNE MOUNCE, CHAIRPERSON
Redevelopment Agency of the City of Lodi

ATTEST:

_____
RANDI JOHL, SECRETARY
Redevelopment Agency of the City of Lodi

APPROVED AS TO FORM:

_____
STEVEN SCHWABAUER, AGENCY GENERAL COUNSEL
Redevelopment Agency of the City of Lodi

DRAFT

RESOLUTION NO. 2008-____

A RESOLUTION OF THE CITY OF LODI APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE REDEVELOPMENT PLAN FOR THE LODI COMMUNITY IMPROVEMENT PROJECT

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has initiated a Redevelopment Plan for the Lodi Community Improvement Project (the "Redevelopment Plan"); and

WHEREAS, the Planning Commission of the City of Lodi has approved and forwarded to the Agency and City of Lodi (the "City") its report that the proposed Redevelopment Plan is in conformity with the General Plan of the City of Lodi and has recommended approval of said Redevelopment Plan; and

WHEREAS, a Draft Environmental Impact Report (the "Draft EIR") was prepared for the Redevelopment Plan pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000, *et seq.*) ("CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, California Code of Regulations Sections 15000, *et seq.*) (the "CEQA Guidelines"); and

WHEREAS, the Draft EIR was sent to the City of Lodi Planning Commission (the "Commission"), and the Commission held a public meeting to receive public input on the adequacy of the Draft Environmental Impact Report; and

WHEREAS, all actions required to be taken by applicable law related to the preparation, circulation, and review of the Draft EIR have been taken; and

WHEREAS, pursuant to public notice duly given, the City Council of the City of Lodi (the "City Council") and the Agency held a full and fair public hearing on the proposed Redevelopment Plan and Final Environmental Impact Report ("Final EIR") on May 28, 2008; and

WHEREAS, the City is a responsible agency for the Redevelopment Plan under CEQA; and

WHEREAS, the City has reviewed and considered the Final EIR and the mitigation monitoring program included therein with respect to the Redevelopment Plan (the "Mitigation Monitoring Program"), including all comments and responses thereto; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI DOES HEREBY RESOLVE:

SECTION 1. The Final EIR has been completed in compliance with CEQA and the CEQA Guidelines, as well as the local CEQA guidelines.

SECTION 2. The City hereby certifies that a full and fair public hearing has been held on the Final EIR, including all comments received thereon and responses thereto, which comments and responses are included in the Final EIR; the City as a responsible agency has reviewed and considered the Final EIR and the information contained therein prior to deciding whether to approve the proposed Redevelopment Plan, including all comments received thereon and responses thereto; and the City finds that the Final EIR reflects the independent judgment of the City. These actions having been taken, the Final EIR is hereby approved and certified by the City.

SECTION 3. The City hereby makes and adopts the following findings of fact as set forth in the Final EIR:

Environmental impacts of the Redevelopment Plan will be less than significant without mitigation for aesthetics, agricultural resources, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic, and utilities.

Certain environmental impacts related to the Redevelopment Plan are potentially significantly adverse, but will be mitigated to less than significant level by conditions imposed upon the Redevelopment Plan in the area of air quality and cultural resources. Such impacts and mitigations are identified in Sections 4.4 Air Quality and 4.7 Cultural Resources of the Draft EIR portion of the Final EIR.

All feasible mitigation measures, which are within the jurisdiction of the City of Lodi as identified in the Final Environmental Impact Report, have been incorporated into the project and represent the fullest extent to which the project-related impacts can be reasonably avoided and/or substantially lessened.

SECTION 4. The City hereby adopts the Mitigation Monitoring Program set forth in the Final EIR, which is hereby incorporated herein by reference, and finds that the mitigation measures and Mitigation Monitoring Program set forth in the Final EIR will eliminate, mitigate, avoid, or reduce to a level of significance, all potentially significant environmental effects of the Redevelopment Plan. The City hereby requires that such mitigation measures and the Mitigation Monitoring Program shall be implemented in connection with, and are hereby made a part of, the Redevelopment Plan.

SECTION 5. The City finds that the project alternatives identified in the Final EIR, including the No Project alternative and the Reduced Project Area alternative, either would not reduce environmental impacts, or would not achieve the primary objectives of the Redevelopment Plan, and such alternatives are therefore infeasible, and the proposed Redevelopment Plan is the environmentally superior alternative.

SECTION 6. The City shall make available the Final EIR and other related materials which constitute the record of the proceedings upon which its decision is based at the Lodi City Hall, 221 W. Pine Street in the City of Lodi, California.

SECTION 7. Based on the Initial Study and the entire record before the City, the city declares that there is no evidence before it that the Redevelopment Plan has any potential for an adverse effect on wildlife resources or habitats and has rebutted the presumption of adverse effects set forth in Title 14, California Code of Regulations, Section 753.5(d).

SECTION 8. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence in the record of the proceedings on the Redevelopment Plan and the Final EIR, which include, among other things, the City of Lodi General Plan and the City of Lodi zoning regulations. The documents, staff reports, plans, specifications, technical studies, and other relevant materials, including, without limitation, the Final EIR, that constitute the record of proceedings on which this Resolution is based are on file and available for public examination during normal business hours in the Agency offices, 221 W. Pine Street, Lodi, California. The custodian of said records is the City Clerk.

SECTION 9. That the Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

Dated: _____, 2008

==========

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held _____, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

_____
JOANNE MOUNCE, MAYOR
City of Lodi

ATTEST:

_____
RANDI JOHL, CITY CLERK
City of Lodi

APPROVED AS TO FORM:

_____
STEVEN SCHWABAUER, CITY ATTORNEY
City of Lodi

DRAFT

RESOLUTION NO. RDA2008-____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI FINDING THAT THE PROVISION OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE PROJECT

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has initiated proceedings for the adoption of the Lodi Community Improvement Project (the "Project") and a project area as established in connection therewith (the "Project Area") and has filed with the Lodi City Council (the "City Council") its report to the City Council for the Lodi Community Improvement Project; and

WHEREAS, in accordance with Section 33334.2(a) of the Community Redevelopment Law (the "CRL"), not less than twenty percent (20%) of all tax increment that is allocated to the Agency from the Project Area shall be used for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost; and

WHEREAS, CRL Section 33334.2(g) provides that the Agency may use such funds outside the Project Area upon adoption of resolutions by the City Council and the Agency finding that the provision of low- and moderate-income housing outside the Project Area is of benefit to the Project; and

WHEREAS, such authority is necessary and appropriate because (i) future locations of housing for low- and moderate-income families cannot be fully determined at this time and (ii) the governing board of the Agency should be able to consider the most advantageous proposals from time to time concerning the provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Lodi as follows:

SECTION 1. Pursuant to CRL Section 33334.2(g) the Agency hereby finds that the provision of low- and moderate-income housing outside the boundaries of the Project Area will be of benefit to the Project.

SECTION 2. Pursuant to CRL Section 33334.2(g), the Agency hereby authorizes the use of low- and moderate-income housing funds outside the boundaries of the Project Area.

SECTION 3. The findings and determinations set forth herein shall be deemed final and conclusive. This Resolution shall take force and effect as of the date this Resolution is approved.

Dated: _____, 2008

==========

I hereby certify that Resolution No. RDA2008-____ was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a regular meeting held _____, 2008, by the following vote:

AYES: MEMBERS –

NOES: MEMBERS –

ABSENT: MEMBERS –

ABSTAIN: MEMBERS –

_____
JOANNE MOUNCE, CHAIRPERSON
Redevelopment Agency of the City of Lodi

ATTEST:

_____
RANDI JOHL, SECRETARY
Redevelopment Agency of the City of Lodi

DRAFT

RESOLUTION NO. 2008-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI FINDING THAT THE PROVISION OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE PROJECT

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has initiated proceedings for the adoption of the Lodi Community Improvement Project (the "Project") and a project area as established in connection therewith (the "Project Area") and has filed with the Lodi City Council (the "City Council") its report to the City Council for the Lodi Community Improvement Project; and

WHEREAS, in accordance with Section 33334.2(a) of the Community Redevelopment Law (the "CRL"), not less than twenty percent (20%) of all tax increment that is allocated to the Agency from the Project Area shall be used for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost; and

WHEREAS, CRL Section 33334.2(g) provides that the Agency may use such funds outside the Project Area upon adoption of resolutions by the City Council and the Agency finding that the provision of low- and moderate-income housing outside the Project Area is of benefit to the Project; and

WHEREAS, such authority is necessary and appropriate because (i) future locations of housing for low- and moderate-income families cannot be fully determined at this time and (ii) the governing board of the Agency should be able to consider the most advantageous proposals from time to time concerning the provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

SECTION 1. Pursuant to CRL Section 33334.2(g), the City Council hereby finds that the provision of low- and moderate-income housing outside the boundaries of the Project Area will be of benefit to the Project.

SECTION 2. Pursuant to CRL Section 33334.2(g), the City Council hereby authorizes the use of low- and moderate-income housing funds outside the boundaries of the Project Area.

SECTION 3. The findings and determinations set forth herein shall be deemed final and conclusive. This Resolution shall take force and effect as of the date this Resolution is approved.

Date: _____, 2008

==========

I hereby certify that Resolution No. 2008-____ was passed and adopted by the Lodi City Council in a regular meeting held _____, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

_____

ATTEST: JOANNE MOUNCE, Mayor of the City of Lodi

_____

RANDI JOHL, City Clerk

DRAFT

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR
THE LODI COMMUNITY IMPROVEMENT PROJECT

==========

WHEREAS, the Community Redevelopment Law (California Health and Safety Code Division 24, Part 1) (the "CRL") permits the adoption of redevelopment plans and specifies the procedure for doing so; and

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has prepared a redevelopment plan dated as of April 18, 2008, and entitled "Redevelopment Plan for the Lodi Community Improvement Project" (the "Redevelopment Plan"), which includes the creation of the Lodi Community Improvement Project Area (the "Project Area"); and

WHEREAS, the City Council of the City of Lodi (the "City Council") proposes by this Ordinance to adopt the Redevelopment Plan and to establish the Project Area, and

WHEREAS, the Agency has forwarded to the City Council and the City Council has received a copy of the Redevelopment Plan, which is on file with the City Clerk at the Office of the City Clerk of the City of Lodi, 221 West Pine Street, Lodi, California 95240, together with the Report to the City Council of the Agency prepared pursuant to Section 33352 of the CRL (the "Report to Council"), which includes a description and discussion of the Lodi Community Improvement Project, and which discusses certain other matters as set forth in Section 33352 of the CRL and including the Environmental Impact Report prepared for the Project (the "EIR"); and

WHEREAS, consistent with the direction earlier given by the City Council, the Redevelopment Plan does not provide for the Agency to have or utilize the power of eminent domain; and

WHEREAS, a Project Area Committee was not required to be formed in connection with the subject Redevelopment Plan because the Redevelopment Plan does not include authorization for the Agency to acquire by eminent domain property upon which people lawfully reside (the Redevelopment Plan, in this case, does not contain any power of eminent domain of the Agency); and

WHEREAS, by adoption of Resolution No. PC 08-09 of the Lodi Planning Commission on April 23, 2008, the Planning Commission has submitted to the City Council its report that the Redevelopment Plan conforms to the Lodi General Plan and its recommendation for approval of the Redevelopment Plan; and

WHEREAS, the City Council and the Agency held a joint public hearing on the proposed adoption of the Redevelopment Plan in the City Council Chambers, City Hall, 221 West Pine Street, Lodi, California; and

WHEREAS, notice of the joint public hearing was duly and regularly published in a newspaper of general circulation in the City of Lodi (the "City") once a week for four (4) successive weeks prior to the date of the joint public hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk of the City of Lodi and Secretary of the Agency; and

WHEREAS, copies of the notice of the joint public hearing were mailed by first-class mail to the last known address of each assessee, as shown on the last equalized assessment roll of the County of San Joaquin, of each parcel of land in the Project Area, to each resident, and to each business as practicable at least thirty (30) days prior to the joint public hearing; and

WHEREAS, copies of the notice of the joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Project Area; and

WHEREAS, in accordance with CRL Section 33350, each assessee whose property would be subject to acquisition by purchase or condemnation was provided notice, either by statement, list or map; and

WHEREAS, the City Council has considered the Report, the Redevelopment Plan, and its effects, and the EIR; and has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the adoption of the Redevelopment Plan; and

WHEREAS, the Agency and the City Council have reviewed and considered the EIR for the Redevelopment Plan, prepared and submitted pursuant to Public Resources Code Section 21000 et seq. and Health & Safety Code Section 33352, and certified said EIR on _____, 2008, by Agency Resolution No. _____, and by City Council Resolution No. ____; and

WHEREAS, the City Council has received and has considered the Report to Council from the Agency with regard to the Redevelopment Plan, has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Redevelopment Plan, and has made a written response to each written objection of an affected property owner and taxing entity filed with the City Clerk before the hour set for such joint public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

SECTION 1. The overall purpose of the City Council formulating the Redevelopment Plan is to provide for the elimination or alleviation of physical and economic blighting conditions, as defined in Sections 33030 and 33031 of the CRL, that exist within the Project Area. Broadly stated, these conditions include, without limitation: physical deterioration of buildings and facilities; potential threats to the public health and safety, inadequate public improvements and facilities that are essential to the health and safety of local residents and property owners; areas of incompatible land uses; lots of irregular form and shape and of inadequate size for proper development; and land suffering from depreciated or stagnant values.

In eliminating blighting conditions, the Redevelopment Plan is intended to achieve the following goals and will institute the following programs or activities:

- Enhance existing business and residential neighborhoods, and encourage new in-fill development as appropriate.
- Encourage development according to the City's General Plan, as it currently exists or may be amended in the future.

- Help preserve and enhance existing conforming residential neighborhoods through landscaping, street and other infrastructure improvements.
- Work with business and property owners to upgrade their properties in the Project Area.
- Rehabilitate deteriorated residential and commercial properties to eliminate safety deficiencies to extend the useful lives of these structures.
- Encourage policies that protect historic structures and ensure historic preservation in the Project Area.
- Work with property owners and businesses to clean up properties that are or have been exposed to hazardous materials.
- Work with property owners to eliminate the negative impacts related to non-conforming land uses.
- Provide for an appropriate buffer to residential neighborhoods from noise, odors, and vibrations for non-residential uses.
- Promote and ensure an environment that is friendly and safe for pedestrians.
- Strengthen pedestrian connections between neighborhoods, and from the Project Area to the rest of the City.
- Create successful commercial and industrial employment areas to serve local residents, businesses, employees and visitors.
- Develop infrastructure improvements that facilitate private investment in the Project Area.
- Assist economically depressed properties to reverse stagnant or declining property investment through infrastructure improvements and programs.
- Expand opportunities for shopping and services by encouraging the development of new commercial uses that fulfill unmet needs in the community and rehabilitation of existing commercial properties.
- Work with property owners to consolidate parcels to induce new or expanded business development.
- Promote the development of new commercial and industrial opportunities that provide for diverse employment opportunities.
- Provide relocation assistance to businesses and residents in accordance with current law.
- Establish the Project Area as a community with a high-quality housing stock that includes a variety of housing unit types affordable to a wide range of households.
- Improve the appearance and attractiveness of residential neighborhoods through neighborhood improvement programs, code enforcement efforts.
- Protect the health and general welfare of the Project Area's low- and moderate-income residents by utilizing 20% of the property tax increment revenues to improve, increase and preserve the supply of low- and moderate-income housing.

- Provide replacement housing as required by law if any dwelling units affordable to low- or moderate-income persons or families are lost from the housing supply as a result of Agency activities.
- Provide relocation assistance to businesses and households displaced by Agency activities.
- Provide housing rehabilitation programs to upgrade properties to eliminate blight and adverse code conditions.
- Improve the Project Area's public infrastructure system to ensure public health, safety and welfare of residents, businesses, and properties.
- Provide for improvements to the infrastructure system that cannot be undertaken by a single property owner, but must be improved on an area-wide basis such as drainage improvements, water distribution lines, flood control facilities, and under-grounding of utilities.
- Provide a range of public infrastructure improvements that induce or facilitate private investment such as intersection upgrades, streets, curbs and gutters, sidewalks, street medians, and parking management facilities.
- Work with property owners on the location and timing of improvements to economically assist the repositioning and development of parcels.
- Ensure that the Lodi Community Improvement Project is managed in the most efficient, effective and economical manner possible.
- Encourage the cooperation and participation of property owners, tenants, residents, public agencies, and community organizations in the elimination of blighting conditions and the promotion of new or improved development in the Project Area.
- Establish programs and activities which assist, complement, and coordinate with public and private development and encourage revitalization and enhancement in the Project Area.
- Oversee the necessary infrastructure improvements in a coordinated and efficient manner.

SECTION 2. The City Council hereby finds and determines, based on the evidence in the record, including, but not limited to, the Report and all documents referenced therein, and testimony received at the joint public hearing on adoption of the subject Redevelopment Plan that:

a) The Project Area is a blighted area pursuant to the CRL, the redevelopment of which is necessary to effectuate the public purposes of the CRL. These findings are based in part on testimony and the Report to Council.

b) The Redevelopment Plan will redevelop the Project Area in conformity with the CRL and in the interests of the public health, safety and welfare. This finding is based in part upon the fact that redevelopment of the Project Area will implement the objectives of the CRL by aiding in the elimination and correction of the conditions of blight, providing for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement, and providing for higher economic utilization of potentially useful land and on testimony and the Report to Council.

c) The adoption and carrying out of the "Project" (as described in the Redevelopment Plan) is economically sound and feasible. This finding is based in part on the fact that within the passage of the Project, the Agency will engage in activities within the financial capability of the Agency based upon the revenues that will be available to the Agency and will pursue those activities which are consistent with revenues realized after adoption of the Project. Furthermore, this finding is based upon the fact that the Agency's Report further discusses and demonstrates the economic soundness and feasibility of the Project and undertakings pursuant thereto, even after adoption of the Project and on testimony and the Report to Council.

d) Redevelopment Plan is consistent with the City of Lodi's General Plan including, but not limited to, the Housing Element thereof, which substantially complies with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. This finding is based in part on the Lodi General Plan (Planning Commission Resolution No. PC 08-09, adopted April 23, 2008) and on testimony and the Report to Council.

e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and will effectuate the purposes and policies of the CRL. This finding is based on the fact that redevelopment will benefit the Project Area and the community by allowing the Agency to correct continuing conditions of blight and by coordinating public and private actions to stimulate development, contribute toward needed public improvements and improve the economic, and physical conditions of the Project Area and the community and on testimony and the Report to Council.

f) The Agency has a feasible method for the relocation of families and persons displaced, if any, from the Project Area. The City Council and the Agency recognize that the provisions of Sections 7260 to 7276 of the California Government Code would be applicable to any relocation that would occur due to the implementation by the Agency of the Redevelopment Plan. The City Council finds and determines that the provision of relocation assistance according to law constitutes a feasible method for relocation.

g) There are or shall be provided within the Project Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of any families and persons displaced from the Project Area, if any, decent, safe and sanitary dwellings equal in number to the number of and available to the displaced families and persons, and reasonably accessible to their places of employment.

h) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the CRL and other applicable provisions of law. 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 the applicable provisions of Sections 3334.5, 33413 and 33413.5 of the CRL. The Agency has adopted a method of relocation for the Project Area which incorporates the California Relocation Assistance and Real Property Acquisition Guidelines. The method provides that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement.

i) All noncontiguous areas of the Project Area, if any, are either blighted or necessary for effective redevelopment and are not included for the purpose of obtaining the allocation of taxes from such area pursuant to Section 33670 of the CRL without other substantial justification for their inclusion. The Project Area is a blighted area which is characterized by a combination of conditions which are prevalent and so substantial that it causes a reduction of, and lack of, proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community which cannot be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment.

j) Inclusion of any lands, buildings or improvements into the Project Area, which are not detrimental to the public health, safety or welfare, is necessary for the effective redevelopment of the entire area of which they are a part, and any such area is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the CRL without other substantial justification for its inclusion. This finding is based in part upon the fact that the boundaries of the Project Area were specifically drawn to include only those lands that were underutilized because of blighting influences, or to include land affected by the existence of blighting influences or land uses significantly contributing to the conditions of blight, or to include land that is necessary for effective redevelopment, which inclusion is necessary to accomplish the objectives and benefits of the Redevelopment Plan and on testimony and the Report to Council.

k) 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. This finding is based in part upon the continued existence of blighting influences including, without limitation, the demonstrated lack of private sector interest in redeveloping properties in the Project Area, structural deficiencies and other indications of blight more fully enumerated in the Report, and the infeasibility due to cost of requiring individuals (by means of assessment or otherwise) to eradicate or significantly alleviate existing deficiencies in properties and facilities and the inability and inadequacy of other governmental programs and financing mechanisms to eliminate the blighting conditions and on testimony and the Report to Council.

l) The Project Area is predominately urbanized, as defined by subdivision (b) of CRL Section 33320.1. This finding is based in part on testimony and the Report to Council.

m) The time limitations contained in the Redevelopment 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. This finding is based on testimony and the Report to Council.

n) The limitation on the number of dollars to be allocated to the Agency as contained in the Redevelopment Plan is reasonably related to the proposed projects to be implemented in the Project Area and the ability of the Agency to eliminate blight within the Project Area. This finding is based on testimony and the Report to Council.

o) The implementation of the Redevelopment Plan will improve or alleviate the physical and economic conditions of blight in the Project Area, as described in the Report. This finding is based on testimony and the Report to Council.

p) The Redevelopment Plan contains adequate safeguards so that the work of redevelopment will be carried out pursuant to the Redevelopment Plan, and it provides for the retention of controls and the establishment of restrictions and covenants running with the land on land sold or leased for private use for periods of time and under conditions specified in the Redevelopment Plan, which the City Council deems necessary to effectuate the purposes of the Health and Safety Code. This finding is based on testimony and the Report to Council.

q) Based upon the record of the joint public hearing held on the Redevelopment Plan and the various reports and other information provided to the City Council, the City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area, may be displaced and that pending the development of such facilities, there will be available to such occupants who may be displaced adequate temporary housing facilities at rents comparable to those in the City at the time of their displacement.

SECTION 3. The City Council is satisfied that permanent housing facilities will be available within three years from the time residential occupants of the Redevelopment Project are displaced, and that pending the development of such facilities, there will be available to any such displaced residential occupants temporary housing facilities at rents comparable to those in the City at the time of their displacement. This statement is based upon the City Council's finding that no persons or families of low and moderate income shall be displaced from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of their displacement and on testimony and the Report to Council. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings. This statement is made pursuant to the requirements of the CRL notwithstanding the expectation that there will not be displacement of residential occupants in connection with the actions of the Agency in implementing the Redevelopment Plan.

SECTION 4. The City Council has considered written objections, if any, to the Redevelopment Plan and all evidence and testimony for and against the adoption of the Redevelopment Plan. All written objections, if any, have been overruled.

SECTION 5. The City Council has previously approved all appropriate environmental findings and determinations required in connection with the adoption of the Redevelopment Project.

SECTION 6. That certain "Redevelopment Plan for the Lodi Community Improvement Project" (also referred to above as the "Redevelopment Plan") a copy of which is on file in the office of the Agency and the office of the City Clerk, having been duly reviewed and considered, is hereby approved and adopted. The Redevelopment Plan, which is incorporated herein by reference, is hereby designated, approved, and adopted as the official redevelopment plan for the Project Area and the Lodi Community Improvement Project.

SECTION 7. In order to implement and facilitate the effectuation of the Redevelopment Project hereby approved, this City Council hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan, (b) 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 redevelopment of the Project Area, (c) stands ready to consider and take

appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan, and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the City under the provisions of the Redevelopment Plan.

SECTION 8. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Redevelopment Plan.

SECTION 9. The City Clerk is hereby directed to record the subject Redevelopment Plan or a notice that such Redevelopment Plan has been adopted in the Official Records of San Joaquin County as promptly as practicable. The City Clerk is further directed to record, within sixty (60) days of the passage of this Ordinance, in the Official Records of San Joaquin County, the notice required pursuant to Section 33373 of the CRL, which notice must include a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the CRL.

SECTION 10. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance and to cause the same to be published in the Lodi News Sentinel, a newspaper of general circulation which is published and circulated in the City of Lodi.

SECTION 11. If any part of this Ordinance or the subject Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not effect the validity of the remaining portion of this Ordinance or of the subject Redevelopment Plan, and this City Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the subject Redevelopment Plan if such invalid portion thereof had been deleted.

SECTION 12. This Ordinance shall be in full force and effect thirty (30) days after passage.

Approved this _____day of _____, 2008

_____
JOANNE MOUNCE
Mayor

Attest:

RANDI JOHL
City Clerk

==========

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held _____, 2008, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

_____
RANDI JOHL
City Clerk

Approved as to Form:

_____
D. STEPHEN SCHWABAUER
City Attorney

B-1

My name is Robert Emmer. I would like to thank each member of the Lodi City Council/Lodi Redevelopment Agency for this opportunity to speak to you. Today, I am speaking in my role as the Vice President of the City of Lodi Public Library Board of Trustees and on behalf of the entire Board of Trustees. We on the Board think of the Public Library as our Community Living Room. Our Community Living Room is a place where one can exchange ideas with others, learn new concepts and where we each can teach and be taught. City surveys continue to show how important our Library is to our community.

Unfortunately the Public Library has become somewhat run down over the past decade. With the financial hard times that have occurred in Lodi, maintenance on City buildings has continued to be deferred. Those deferrals have brought us to the point where we have had develop fund raising campaigns to provide services for the Library that we believe should normally be provided by the City.

The Library will spend upwards of $1.5 million over the next year for refurbishment. $860,000 of those funds come from the Board of Trustees Private Sector Trust Fund, and donations raised by the Library Foundation and Friends of the Library. $650,000 of the funds come from the Library fund balance, which were accrued over years of the Library spending less money than receipts from its 20% share of the city property tax revenues. In addition, about $200,000 is from Federal Community Development Block Grant money allocated to the Library from the City Council.

This $1.5 million still leaves a shortfall of approximately $1.0 to $1.5 million that is needed to completely renovate the Library. There are many folks hard at work to raise these funds. We believe that we will be successful in raising these funds and completing construction over the next 2-3 years.

Depending upon the costs or materials, and the availability of funds, we will probably need to continue to raise funds for on-going renovations. And upon

completion of these renovations, we will still have a 30 year old Library, with 30 year old infrastructure.

This brings me to the point of my presentation. The City of Lodi needs a new Public Library, one that is larger, one that can provide more services and one that has a new infrastructure, if we are going to provide services to our community over the next two to three decades. We, the City of Lodi Public Library Board of Trustees believe, given the current financial status of the City of Lodi, that the only way to provide a new facility is through funds provided by a Redevelopment Agency. The Board of Trustees has voted, with a 5-0 vote, to support the effort to bring a Redevelopment Agency to the City of Lodi, so that we can work together to prioritize a new Library and so that we can begin the work of planning for a future project to bring a new Library to the City of Lodi.

The Board of Trustees is willing to work with the City Administration and the City Council to move forward the work to create a new Redevelopment Agency. In doing so, we are hopeful that City Administration and the City Council/ Redevelopment Agency will work with us in planning for a new Public Library through the use of funds generated by the Redevelopment Agency concept.

If you have any questions, I will be glad to answer them.

Robert E. Emmer
Vice President
City of Lodi Public Library
Board of Trustees

B-1

UNION PACIFIC RAILROAD COMPANY
FACSIMILE TRANSMISSION

Law Department
Stop 1580

1400 Douglas Street
Omaha, NE 68179

Deliver to: City Clerk, City of Lodi **Co./Dept.:**

Fax No.: 209-333-6807 **Date:** May 28, 2008

From: Donna Coltrane, Legal Assistant **Phone:** (402) 544-4397

No. of Pages Transmitted 2 plus cover sheet

COMMENTS:

Transmitting From Fax No. (402) 501-0132

IF YOU DO NOT RECEIVE ALL PAGES
CALL US AS SOON AS POSSIBLE
(402) 544-4397

This facsimile message may be a privileged and confidential communication and is intended for the use of the person to whom it was sent. If you have received this message in error, please notify us immediately at (402) 544-4387. This message should not bw disseminated or copied if you are not the intended recipient, but should be returned to the above address by mail or destroyed. THANK YOU.

Law Department

May 28, 2008

VIA FACSIMILE (209) 333-6807

City Clerk
City of Lodi
221 W. Pine Street
P.O. Box 3006
Lodi, CA 95241

Re: Notice of Redevelopment Plan for the Lodi Community Improvement Project ("Project") and the Certification of a Final Program Environmental Impact Report for the City of Lodi, CA ("City")

Dear Sir or Madam:

Union Pacific Railroad Company, a Delaware Corporation ("UP"), is delivering this letter regarding the above Project. It appears from the plans furnished that the Project is in the vicinity of UP's Fresno subdivision which has an average of 32 trains over a 24-hour period and the Woodbridge Industrial Lead. Accordingly, UP wishes to raise the following issues.

Development near UP rail lines can negatively impact rail services and create unintended consequences that are in neither UP's nor the City's best interests and will attract more vehicles and pedestrians to the areas around the UP rail lines, and people may trespass onto rhe railroad right-of-way as well. Any property acquisitions or improvements near UP rail lines may require fencing or other improvements with the costs to be paid for by the City.

In addition to the obvious safety concerns of which UP remains vigilantly aware, these factors also have the result that trains may be forced to proceed more slowly through the City, and/or to make more frequent emergency stops, which makes rail service less effective and efficient. In the event of train slowdowns or stoppages, train cars may be forced to block at-grade roadway intersections, causing traffic disruptions.

The City should examine the impacts associated with the increased vehicular traffic across the UP rail line. Any necessary mitigation of these impacts through crossing improvements or grade separation would have to be at the cost of the City. Any changes to existing crossings will need the approval of both UP and the PUC with all costs going to the City.

Please give notice to UP of all future developments with respect to the Project as follows:

Mr. Jim Smith
Manager of Industry and Public Projects
Union Pacific Railroad Company
9451 Atkinson Street
Roseville, CA 95747

With a copy to:

Ms. Donna Coltrane
Union Pacific Railroad Company
1400 Douglas Street - STOP 1580
Omaha, Nebraska 68179-1580

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Sincerely,

Gerard Sullivan

Gerard Sullivan
General Attorney

cc: Mr. Jim Smith
Union Pacific Railroad Company

B-1

RECEIVED
2008 MAY 28 PM 12:04
CITY CLERK
CITY OF LODI

Protest Against:

An ordinance of the City Council of the City of Lodi approving and adopting the redevelopment plan for the Lodi community improvement project.

Citizens Opposed to A Redevelopment Agency and the FEIR

To the Lodi City Council.

Our ad hoc group of concerned Lodi Citizens categorically reject the adoption of a Redevelopment Agency (RA) by the Lodi City Council. We object to the proposed project and the final program Environmental impact Report, and any council reliance on the GRC Consultant's Report. Furthermore, we strongly object the proposed project area map as it has undergone a series of gerrymanders that now includes the southern extension of Hutchins Street and a large apartment complex that requires extensive police presence. This new stretch of the project area, even though a far distance from the "east side" was done to show high crime (See GRC report 8.8 High Crime Rate, PG 97). Does this high crime rate justify the need for a RA?

The projected area map shows a number of isolated areas within the projected area map that have been removed from the original map. We submit that the proposed RA map is invalid until each of these changes is explained by the person or persons who made the changes. These changes include any current and future changes.

We hold that there is not sufficient physical blight in the proposed project area to justify a RA. The City of Lodi hired the GRC Consultants to compile a fictitious report to falsify the elements of blight, crime and as many other social and municipal failures as they could think of, all the mesh into the California Community Redevelopment Law. For a large fee GRC or another consultant will falsify blight, where there is none. Therefore, GRC report

(7.0 Socio-Economic Profile, and 8.0 Physical and Economic Conditions, pages **23** and **24)** is erroneous.

The proposed area **is** economically vital experiencing public and private investments. The citizens living in the proposed are make up a young homogenous community. The residential homes are starter houses, serving as the affordable housing. Inspections of the project area show that these homes are being upgraded. The **GRC** report failed to show that these homes are currently being upgraded. Furthermore, small stores **are** also starter businesses with a multinational diverse population thriving from extensive new investments in the **area** and do not need to be redeveloped.

Contrary **to** the GRC report the proposed project area (the east side) **is** composed of a healthy blend of foreign born Hispanics, Middle Easterners, and **Far** Easterners all living in a healthy community. This society is not a burden on the remainder **of the** City **of** Lodi; it is in turn very successful and thriving. This group of citizens may have different mores, customs, colors, foods, signs, clothing, and religion; however, the GRC completely missed this element and presented the Lodi City Council an invalid report.

Not included **in** the **GRC** report is the existence **of** six well kept **schools** in the project area. The success **of** the education system **in** the project area will suffer and be denied funding by these divisions. The **GRC** report in section 8.8, failed to address the Lodi Police Department report of May **13,2008** showing that crime and gang activity in the area is decreasing. Furthermore, in and about the corridors of the proposed project area, new construction **is now** underway on Lodi Avenue, Kettleman Lane, and Lockeford Street.

The California Community Redevelopment Law (CRL) at Health and Safety Code sections **33030** and **33021** list several requirements that must be satisfied in order to create a project area:

(GRC Consultants report to City Council, **pg 109)**

The proposed project area:

1. the area must have at least one of:
    a. Physical Blight..... .....None Present
    b. Economic Blight..... ..... None Present
2. Blight must cause **a** lack of proper utilization **of** area.. .....None Present
3. Improper Utilization is a burden in entire community..... None **Present**
4. Lack of private investment in the area.....Lots of new investment
5. Must have a RA to correct.. .... Not Needed

This Score Card shows some of the current conditions in the project area, the City if Lodi does not need a Redevelopment Agency.

A Redevelopment requires that a portion of its revenues be spent on affordable **housing.** There is already more affordahle housing in the proposed project area than any other place on the **City of** Lodi. The Project Area (PA) had more schools than any other area in Lodi (Lodi Adult School, **Joe** Serna Charter School, Lawrence Elementary School, Heritage Pnmary School, Lodi Academy, and Lodi S.D.A Elementary School).

- The **PA** has more well maintained churches than any other are in Lodi.
- The PA has a Moslem Mosque.
- The PA has a Buddhist Temple and Hall.
- The PA has **a** Boys and **Girls** Club.
- The PA has multiple, well kept soft-ball diamonds.
- The PA has Zuppo Field.
- The PA has DeBenedetti **Soft** Ball Field.

- The Pa has the Grape and Wine Festival Grounds.
- The PA has four parks: Hale Park, Armory Park, Lawrence Park, and Blakely Park.
- The PA has a new parking Garage (North Sacramento Street and East Pine Street).
- The PA has the new Transportation Center (Sacramento and Oak),
- The PA has a new Pharmacy (Lodi Pharmacy on Cherokee Lane).
- The PA has the very successful Rancho San Miguel Market (Cherokee Lane).
- The PA has new constructions sites throughout the project area.

In summary, we, the concerned citizens of Lodi opposed to the proposed project, the FEIR, all actions of the Lodi Planning Commission in Certifying original and amended project are maps. We also reject in its entirety the willfully deceitful GRC consultant report to the City Council 5/28/2008. Finally, the clear purpose of this proposed redevelopment project are is to divert future tax increment revenues from new construction in violation of state law court decisions.

Phyllis E. Roche
1812 Cape Cod Circle
Lodi CA 95242-4207

Nicolas Santoyo Rozo
738 South Lee Avenue
Lodi, CA 95240

John P Talbot
800 Maplewood Dr
Lodi, CA 95240

Eunice Frederick
425 E. OAK ST
Lodi, Ca. 95240

Jack Floyd Hart
331 La Setta Dr
Lodi CA 95242

Jerold E. Dyle
327 DEL MONT ST
LODI, CA, 95242

B-1

RECEIVED
2000 MAY 28 PM 12:57
CITY CLERK
CITY OF LODI

NO on REDEVELOPMENT

Lodi, Wake up! Why do we need the Redevelopment Agency to tell Lodi how to go into debt? The RDA will have the power to sell bonded debt without any voter approval.

Our Lodi Council is in debt $200 million dollars on loans. The $47 million worth of electric utility bonds will jump to $64.3 million to get fixed rate on interest Expect an increase of 5 percent for your electricity by 2010.

The RDA will be calling the shots for 40 years. It will have a debt ceiling of about $400. million dollars. it is a separate state agency from Lodi Government. When the consultant's findings of blight are certified , a law firm is retained to draw up the paperwork & to defend against any legal challenges. Then the bond brokers can start borrowing. Lodi City Council has spent $300 ,thousand for the Redevelopment Agency to find blight.

Smart-Lodi does not think the map RDA shows is 100% blighted. It's time for Lodi registered voters to be able to vote No on Redevelopment.

Barbara Hockhart
331 La Setta Drive
Lodi Ca. 95242

B-1

May 28th, 2008

RECEIVED
2008 MAY 28 PM 1:15
CITY CLERK
CITY OF LODI

To: **City** Council

Re: Written concerns regarding the Ordinance of the City Council of the City of Lodi Approving and adopting the redevelopment plan for the Lodi Community Improvement project.

The project does not address the double dipping of using **RDA** funds and the estimated $15.00 on city utility bills for Water and Sewage infrastructure replacement. The project language states. "improve project area public infrastructure system & provide a range of public infrastructure improvements", If **KDA** is paying for the infrastructure than how will **a** refund of the money's taken by the city from utility **users** be mitigated **or** refunded to the rate payer? This appears to be a clear case of double taxation. **If I** am already paying for infrastructure replacement than this **RDA** infrastructure improvement would appear to be only an excuse **to** have an **RDA** project.

With all the public pmjects proposed within this plan, how will *the* debt he paid ***off*** when public entities don't pay taxes **or** have tax increments? The plan does not define with detail an income generating project.

One of the mitigations **to** the vacant businesses in the EIR for the **Super** Wal-Mart was the **RDA.** The RDA would finance the remediation of blight, vacant businesses and derogation of neighborhoods from a Super Wal-Mart being built in Lodi. If the Plan is overturned with a referendum, will this stop future big box developments?

Please indicate these concerns in the public record of this draft ordinance. I **am** requesting that Council reject the ahove named proposed ordinance.

Respectfully,

EUNICE FRIEDERICH
425 E. OAK ST
LODI, CA - 95240

B-1

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2000 MAR 28 PM 1: 34
CITY CLERK
CITY OF LODI

NOTICE OF OPPOSITION TO.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
APPROVING AND ADOPTING THE REDEVELOPEMENT PLAN FOR
'THELODI COMMUNITY IMPROVEMENT PROJECT

Forming a RDA is nothing new. There are *so* many communities in California involved with RDA's that their combined debt is now a staggering $81 Billion. Some of these communities are in so deep they *can* barely hold their head above water. Some, I am told, may be drowning. When the Lodi City Council last tried to implement this RDA idea, concerned citizens signed a petition in sufficient numbers that the matter was dropped. That council understood the meaning of no. This one decided what they want to accomplish for there own reasons and do not take no for an answer. They simply try again. This time, in order *to* get more people behind this proposition the council has resorted to making promises to many interests to get more approval. The information is deliberately vague and without a cost figure.

At the last meeting I attended, Mr. Blair King, when pressed for particulars stated, "We have here a theoretical scenario." He tried to make it sound wonderful. He was telling us the absolute truth when he referred to all the information he was giving us as theoretical. The truth is in the dictionary meaning of the word theoretical. Theoretical means; conjectural (surmised - as opposed to fact), hypothetical, speculative, and suppositional, (opinion, guess. suspicion). The truth is in the reality that a RDA, by law, cannot exist unless it incurs debt. It is a debt machine.

We can not pay our debt now and they want to create a bureaucracy that has the power to borrow and put us even further in debt for longer than many of our life expectancies. I am expected to live within my means. If I have spent my income I do not reach for a credit card to create an even bigger problem for tomorrow We want our leaders to let our town live within its means and quit squandering large sums of city money that it can not afford in order to gain their own ends.

Jerold E. Kyle
327 DEL MONT ST
LODI, CA, 95242

B-1

May 28,2008

RECEIVED
2008 MAY 28 PM 1:15
CITY CLERK
CITY OF LODI

To: Lodi City Council

Re: An Ordinance of the City Council of the City of Lodi Approving and Adopting the Redevelopment plan for the Lodi Community Improvement Project.

The project speaks of using RDA funds for ground water contamination clean up. However, rate payers of Lodi are already paying $10.50 on their utility bill for this clean up. Therefore, this is another example of double taxation and *an* excuse to create *an* KDA project that is already being corrected though other means of taxation. How will the City of Lodi refund the rate payers PCE/TCE ground water contamination since RDA funds will pay for future clean up?

The plan indicates eliminating blight conditions through improvements to appearance and attractiveness of residential neighborhood through neighborhood improvement programs, code enforcement efforts. However, Lodi's code enforcement has not been funded nor has it used the power of rhe law or fines to improve any deteriorated conditions in Lodi. What will be different about code enforcement in an RDA if code enforcement couldn't clean up blight with the law & fines at there disposal for the past 2 years?

With the passing of proposition 98 or 99 how will that affect the current RDA project?

Please indicate these concerns in the public record of this draft ordinance. I am requesting that council reject the above name ordinance.

Respectfully,

Oanh Nguyen
141-143 Swain Dr
Lodi, CA 95240

B-1

JOINT PUBLIC HEARING OF THE LODI CITY COUNCIL AND THE LODI REDEVELOPMENT AGENCY ON THE PROPOSED PLAN FOR THE IMPROVEMENT PROJECT AND CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT WEDNESDAY May 28,2008

RECEIVED
2008 MAY 28 PM 3:36
CITY OF LODI

The Eastside of Lodi is not "blighted". It is as strong physically as the Westside. It is growing with new construction. Just recently a new drug store opened on Cherokee Lane.

To red-tag the Eastside as "blighted" is not only dishonest, but contrary to State Law.

On average residents are younger, making this a vibrant part of Lodi.

The courts of California have repeatedly declared such project areas to be illegal. They are illegal because they attempt to steal future property tax revenues from local schools and county services without being a truly "blighted" area. You should be ashamed of yourselves. This is a wholly dishonest use of redevelopment law.

Respectfully,

John P. Talbot

John Talbot
800 Maplewood Drive
Lodi, Ca 95240

Hand Delivered May 28th, 2008 To Lodi City Clerks Office

B-1

ERRATA MEMORANDUM

REPORT TO CITY COUNCIL ON THE

LODI COMMUNITY IMPROVEMENT PROJECT

The following non-substantive errors were discovered in the Report to City Council on the Lodi Community Improvement Project.

The Table of Contents does not match the text. This is correct, and the Table of Contents should be changed to read as follows:

Chapter 11.0, Five Part Test, change Page 104 to Page 109.

Chapter 16.0, Report and Recommendation of the Planning Commission, change page 157 to page 155.

Chapter 18.0, Report Required by Section 65402 of the Government Code, change page 213 to 215.

List of Figures – remove reference to figures on pages 112, 113, 114, 115, 116 and 117.

Appendix D – Cover page – Change "Environnental" to "Environmental".

Tables 5 and 7 reference GRC Redevelopment Consultants. The source should be GRC Redevelopment Consultants based on San Joaquin County Assessor's data, 2007.

Page 74, third paragraph, paragraph should read, "Overall 611 parcels (19% of all privately owned properties) were found to be of irregular shape and/or size under multiple ownership."

RESOLUTION NO. RDA2008-04

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LODI APPROVING AND TRANSMITTING ITS REPORT ON THE LODI COMMUNITY IMPROVEMENT PROJECT TO THE CITY COUNCIL OF THE CITY OF LODI

==========

WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has prepared a Redevelopment Plan for the Lodi Community Improvement Project (the "Improvement Plan") in compliance with the California Community Redevelopment Law (Health and Safety Code, Sections 33000, et **seq.;** the "CRL"); and

WHEREAS, Section 33352 of the CRL states that every redevelopment plan submitted by a redevelopment agency to the legislative body shall be accompanied by a report on the plan: and

WHEREAS, the Agency has prepared its report (the "Report to the City Council") as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Lodi as follows:

SECTION 1. Pursuant to Section 33352 of the CRL, the Agency has prepared its Report to the City Council for the Lodi Community Improvement Project, submitted under separate cover and made a part hereof by this reference.

SECTION 2. The Agency hereby approves its Report to the City Council on the Lodi Community Improvement Project.

SECTION 3. The Executive Director of the Agency is hereby authorized and directed to transmit the Report to the City Council to the City Council.

SECTION 4. The Secretary shall certify to the passage and adoption of this resolution, and it shall thereupon take effect and be in force.

Dated: May 28, 2008

I hereby certify that Resolution No. RDA2008-04 was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a special meeting held May 28, 2008, by the following vote:

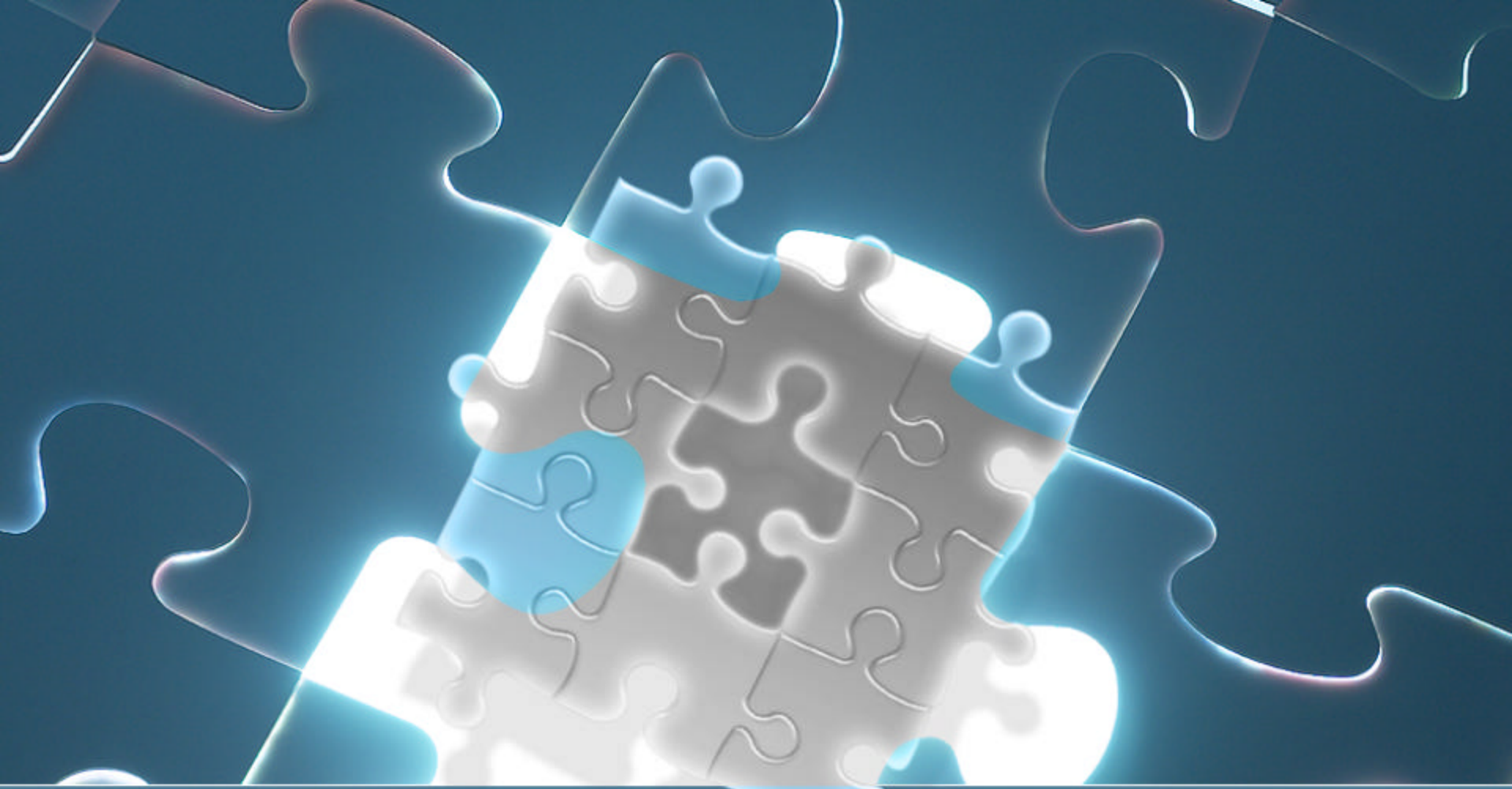
AYES: MEMBERS – Hansen, Johnson, and Katzakian

NOES: MEMBERS – Mayor Mounce

ABSENT: MEMBERS – None

ABSTAIN: MEMBERS – Hitchcock

RANDI JOHL
Secretary



Lodi Community Improvement Project

Lodi City Council/RDA
May 28, 2008

Lodi Community Improvement Project

Public Hearing to consider:

- Resolution certifying EIR
- Resolution finding that LCIP will benefit housing needs of low- to moderate-income residents
- Introducing ordinance adopting plan for the LCIP

Lodi Community Improvement Project

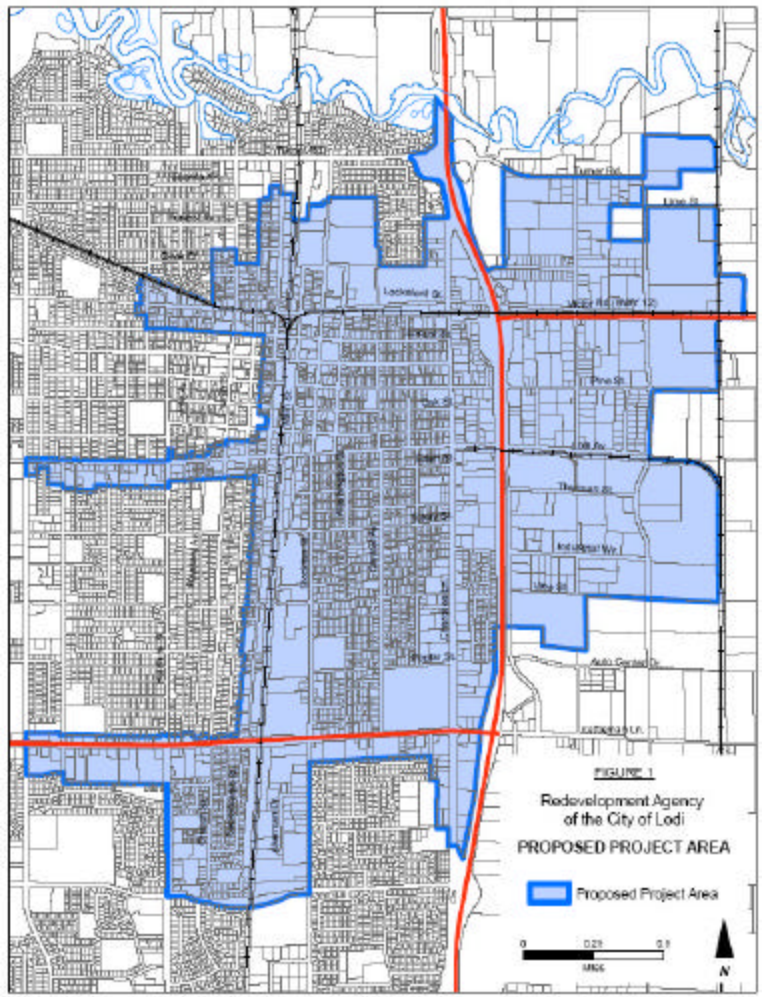
Recommendation

City Council should adopt the LCIP

Lodi Community Improvement Project

Project area:

- Roughly 2,000 acres
- Most of Lodi east of Sacramento Street
- Commercial corridors on Cherokee and Kettleman lanes, Lockeford, Pine and Main streets, Lodi and Central avenues, Victor Road



Lodi Community Improvement Project

Financial projections

- $242.1 million for low- and moderate-income housing ($52.2 million present value)
- $599.5 million for public improvements and economic development ($136.3 million present value)

Lodi Community Improvement Project

Why?

- Expand job opportunities by stimulating growth and a strong economy
- Reconstruct streets, sidewalks, alleys, storm drains, water and wastewater infrastructure
- Enhance the appeal of east-side neighborhoods as a place to live

Lodi Community Improvement Project

This plan ...

- No eminent domain
- Provides maximum flexibility
- Provides housing assistance
- Provides job-creation tools
- Allows, but not does require, bonds
- No additional land-use controls
- Uses tax increment revenue with collection ending after 45 years

Lodi Community Improvement Project

A funding source for:

- Replacing deteriorating infrastructure
- Replacing residential water meters
- Housing assistance
- Public facilities
- Stimulating investment, jobs
- Funding soil/groundwater cleanup
- Graffiti abatement

Lodi Community Improvement Project

Public outreach

- City Council meeting in Project Area
- Publications in English, Spanish, Urdu
- 19 meetings with city agencies or community groups
- Two citywide newsletters
- Prominent on www.lodi.gov

Lodi Community Improvement Project

Addressing community concerns

- Greater share of Lodi tax dollars stay in Lodi for local benefit
- More local control
- No change in tax assessment methods
- RDA composed of elected officials
- Issuing bonds not required
- Willing seller, buyer needed for sale
- No new land-use rules
- Does not affect property rights
- Faster appreciation of property within Project Area vs. outside

Lodi Community Improvement Project

- Ernie Glover, GRC Redevelopment Consultants
- Project Area characteristics, EIR

Lodi Community Improvement Project

Don Fraser, Fraser & Associates

Tax increment projections, consultation with taxing entities

Lodi Community Improvement Project

Lodi Redevelopment Agency

Adopt resolution transmitting report on the Lodi Community Improvement Project to the City Council

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I **am** a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

April 30th, May 7th, 14th, 21st,

ll in the year *2008*

certify (or declare) under the penalty of perjury hat the foregoing is true and correct.

Dated at Lodi, California, this 21st day of May 2008.

Signature

This space is for the County Clerk's Filing Stamp

Froof of Publication
Notice of Joint Public Hearing of the City Council of the City of Lodi and the Redevelopment Agency of the City of Plan for the Lodi Community Improvement Project and the Certification of a Final Program Environmental Impact Report Prepared in Connection Therewith

NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF LODI AND THE REDEVELOPMENT AGENCY OF THE CITY OF LODI ON THE PROPOSED REDEVELOPMENT PLAN FOR THE LOD COMMUN TY MPROVEMENT PROJECT AND THE CERTIFICAT ON OF A FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED IN CONNECT ON THEREWITH

IOTICE IS HEREBY GIVEN that the City Council of the **City** of **Lodi** (the "City Council") and th ledevelopment **Agency** of the City **of** Lodi (the "Agency") **will hold a** joint public hearing on the propose ledevelopment **Plan lor the Lodi Community** Improvement **Project** ("the Project"), **and** the Final Progra nvironmental Impact **Rep** t the following time and place:

ate: Wednesday, May 28, 2008
ime: 7:00 p.m.
lace: City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California 95240

he proposed Project would include approximately 2,159 acres of territory (the "Project Area") in a red elopment area, as allowed under California Community Redevelopment Law (Health and Safety Co ection 33000 et seq.). The boundaries of the proposed Project Area are shown on the accompanyi nap. A map and legal description of the proposed Project Area are available free of charge in the C lerk's Office at City Hall located at 221 West Pine Street, Lodi, California 95240.

enerally, the purposes of the proposed Project are to: Eliminate or alleviate blighting conditions in the pr osed Project Area by assisting the development of new uses; assisting the rehabilitation of existing pro rties; providing public improvements; increasing, preserving, or improving the supply of low and mode te income housing; and pursuing other improvement activities authorized by the law.

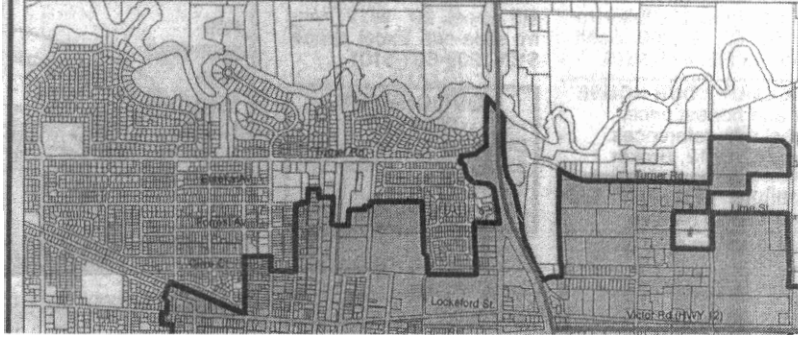
he proposed Project includes the authority for the Agency to acquire real property in the Project Area, b ot through eminent domian

tate **law** requires that **the Redevelopment Plan be in conformance with the Lodi General** Plan On Apr **3, 2008, the Lodi Planning Commission considered the Redevelopment Plan and found** it in conformanc nd consistent with the City's **General Plan**

At the joint public hearing, the City Council and the Agency will consider testimony for and against the p posed Project and FEIR. All interested parties, including anyone having any objection to the propos Project, the FEIR, or the regularity of any of the prior proceedings, may appear and be heard and m show cause why the proposed Project should not be adopted or the FEIR certified. If you wish to challen the proposed Project of the FEIR in court, you may be precluded from doing so unless you object to t approval of the proposed Project, or certification of the FEIR, by objecting orally at the joint public hear or by delivering written objections to the City Clerk at, or prior to, the joint public hearing. Further, in a court challenge to the proposed Project or the sufficiency of the FEIR, you may be limited to raising o those issues you or someone else raised at the joint public hearing described in this notice, or in writt correspondence delivered to the City Clerk at, or prior to, the joint public hearing. The proposed Proje FEIR, and other related documents are available for public inspection at the City Clerk's Office in Lodi C Hall. The Agency's Report to the City Council regarding the proposed Project will be available at the C Clerk's Office in City Hall located at 221 West Pine Street, Lodi, California 95240 on or about May 2008.

GIVEN BY ORDER of the City Council and Redevelopment Agency of the City c **Lodi.**

April 30, May 7, 14, 21, 2008 –20471



ear 2008.

r declare) under the penalty of perjury
regoing is true and correct.

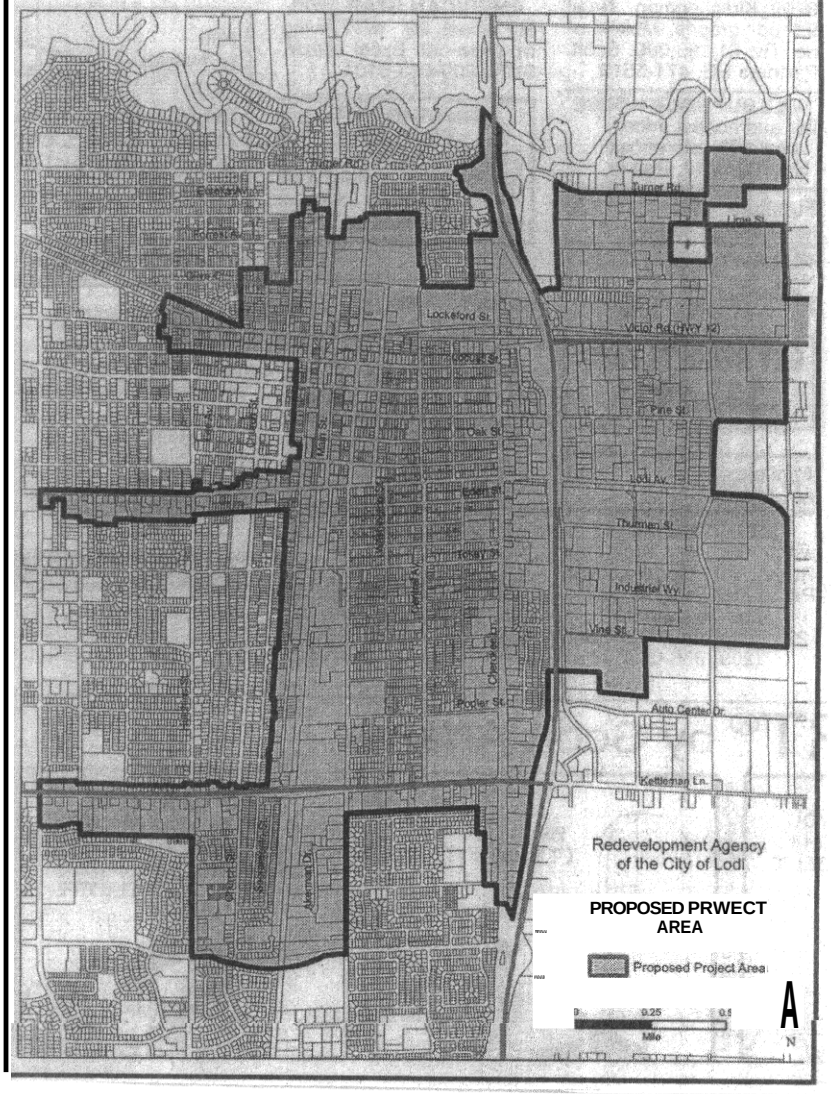
odi, California, this 21st day of

Signature

not through eminent domain.

State law requires that the Redevelopment Plan be in conformance with the Lodi General Plan. On April 23, 2008, the Lodi Planning Commission considered the Redevelopment Plan and found it in conformance and consistent with the City's General Plan.

At the joint public hearing, the City Council and the Agency will consider testimony for and against the proposed Project and FEIR. All interested parties, including anyone having any objection to the proposed Project, the FEIR, or the regularity of any of the prior proceedings, may appear and be heard and may show cause why the proposed Project should not be adopted or the FEIR certified. If you wish to challenge the proposed Project of the FEIR in court, you may be precluded from doing so unless you object to the approval of the proposed Project, or certification of the FEIR, by objecting orally at the joint public hearing or by delivering written objections to the City Clerk at, or prior to, the joint public hearing. Further, in any court challenge to the proposed Project or the sufficiency of the FEIR, you may be limited to raising only those issues you or someone else raised at the joint public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the joint public hearing. The proposed Project, FEIR, and other related documents are available for public inspection at the City Clerk's Office in Lodi City Hall. The Agency's Report to the City Council regarding the proposed Project will be available at the City Clerk's Office in City Hall located at 221 West Pine Street, Lodi, California 95240 on or about May 14, 2008.

GIVEN BY ORDER of the City Council and Redevelopment Agency of the City of Lodi.

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