

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE  
REDEVELOPMENT AGENCY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

746



**FROM:** Redevelopment Agency

**SUBMITTAL DATE:**

January 13, 2010

**SUBJECT:** I-215 Corridor Project Area, Amendment No. 2: Highway 74 Communities - Setting Time and Date for Joint Public Hearing and Adopting Rules for Owner Participation and Relocation Method

**RECOMMENDED MOTION:** That the Board of Directors:

1. Adopt Resolution No. 2010-004 adopting the Owner Participation Rules and the Relocation Method for Amendment No. 2 to the I-215 Corridor Redevelopment Project Area; and
2. Adopt Resolution No. 2010-005 to establish the date, time, and place of a Joint Public Hearing with the Redevelopment Agency Board of Directors to consider Amendment No. 2 to the I-215 Corridor Redevelopment Project Area and the associated Environmental Impact Report.

**BACKGROUND:** The Redevelopment Agency for the County of Riverside ("Agency") is in the process of amending the I-215 Corridor Project Area, Amendment No. 2: Highway 74 Communities to add portions of the South Mead Valley, Wagon Wheel, Good Hope, Meadowbrook, and Warm Springs communities.

(Continued)

Robert Field  
Executive Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009/2010

**COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA:** Yes

**SOURCE OF FUNDS:** N/A

Positions To Be Deleted Per A-30

Requires 4/5 Vote

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Jennifer L. Sargent

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY: Michelle Clack  
MICHELLE CLACK  
DATE: 1/13/10  
Departmental Concurrence

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: 4.8 10/21/08; 4.2 9/1/09

District: 5

Agenda Number:

4.5  
FRM 41 (REV 06/2009)

**BACKGROUND** (continued):

The next step in the plan adoption process is to establish a date, time and place for a joint public hearing that will allow affected property owners, residents, businesses, and affected taxing agencies to be notified of the public hearing and be given an opportunity to comment on the Redevelopment Plan for the I-215 Corridor Project Area, Amendment No. 2: Highway 74 Communities ("Plan Amendment") and the associated Environmental Impact Report. According to California Community Redevelopment Law (the "CRL"), the Agency and the Board of Supervisors for the County of Riverside may conduct a Joint Public Hearing to adopt the Plan Amendment.

The Agency must also adopt rules for owner participation and a relocation method for these amendment areas. The owner participation rules set forth the types of participation and a procedure for participation to be followed by the Agency and prospective participants. The relocation method sets forth a general method of relocating displaced persons, families and businesses in the amendment areas.

The Owner Participation Rules were prepared and adopted by Redevelopment Agency Resolution No. RDA 98-19 on November 3, 1998, for Redevelopment Project Areas No. 1-1986, 3-1986, 4-1986 and 5-1986 in accordance with the provisions of state law, and is included with this staff report as Attachment "A". It is proposed that these procedures be adopted by reference for the Plan Amendment. The reason for this is to provide administrative consistency between all the redevelopment areas.

The Relocation Method was prepared and adopted by Redevelopment Agency Resolution No. RDA 98-20 on November 3, 1998, in accordance with the provisions of state law, and is included with this staff report as Attachment "B". It is proposed that this Relocation Method be adopted by reference for the Plan Amendment. As with the Owner Participation Rules, the reason for this is to provide administrative consistency between all the redevelopment areas. Although eminent domain is not authorized in the Plan Amendment, the CRL requires adoption of a Relocation Method for every proposed redevelopment project area.

Staff recommends that the Board of Directors adopt Resolution No. 2010-005, consenting to a joint public hearing with the Board of Supervisors, and Resolution No. 2010-004, adopting the owner participation rules and the relocation method for Amendment No. 2.

1 **BOARD OF DIRECTORS**

**REDEVELOPMENT AGENCY**

2  
3 **RESOLUTION NO. 2010-004**

4 **ADOPTING BY REFERENCE RULES GOVERNING PARTICIPATION AND**  
5 **PREFERENCES BY OWNERS, OPERATORS OF BUSINESSES AND**  
6 **TENANTS, AND THE RELOCATION METHOD FOR THE I-215 CORRIDOR**  
7 **PROJECT AREA, AMENDMENT NO. 2: HIGHWAY 74 COMMUNITIES**

8 **WHEREAS**, the Redevelopment Agency for the County of Riverside (the "Agency") has  
9 initiated Amendment No. 2 to the Redevelopment Plan for the I-215 Corridor Project Area; and,

10 **WHEREAS**, Amendment No. 2 will add portions of South Mead Valley, Wagon Wheel,  
11 Good Hope, Meadowbrook and Warm Springs (the "Highway 74 Communities") to the  
12 Redevelopment Plan for the I-215 Corridor Project Area; and,

13 **WHEREAS**, the Agency, within a reasonable period of time before the approval of the  
14 Redevelopment Plan for Amendment No. 2, is required to adopt Rules Governing Participation  
15 and Preferences by Property Owners and Business Occupants (the "Owner Participation  
16 Rules"), pursuant to Health and Safety Code Sections 33339, 33339.5 and 33345; and,

17 **WHEREAS**, Owner Participation Rules entitled "Rules Governing Participation and  
18 Preferences by Property Owners and Business Occupants" were adopted by Resolution No.  
19 RDA 98-19 (November 3, 1998) for Redevelopment Project Areas No. 1-1986, 3-1986, 4-1986  
20 and 5-1986 (the "Existing Project Areas"); and,

21 **WHEREAS**, the Agency proposes to adopt by reference the Owner Participation Rules  
22 for Amendment No. 2, attached as Attachment "A"; and,

23 **WHEREAS**, Health and Safety Code Section 33411 requires that the Agency prepare a  
24 feasible method or plan for relocation of families or persons to be temporarily or permanently  
25 displaced from within the area included in Amendment No. 2, irrespective of whether any  
26 displacement of residents, businesses or others is anticipated; and,

27 **WHEREAS**, Section 7260 et seq. of the California Government Code requires a public  
28 entity to provide relocation advisory assistance to any person, business, or farm operation  
displaced because of the acquisition of real property for public use; and,

FORM APPROVED COUNTY COUNSEL  
DATE 1/2/10  
MICHELLE CLACK

1           **WHEREAS**, a Relocation Method for the Existing Project Areas (the "Relocation  
2 Method") was adopted by Resolution No. RDA 98-20 (November 3, 1998); and,

3           **WHEREAS**, the Agency proposes to adopt by reference the Relocation Method for  
4 Amendment No. 2, attached as Attachment "B".

5           **BE IT RESOLVED, FOUND, DETERMINED and ORDERED** by the Board of Directors  
6 of the Redevelopment Agency for the County of Riverside, in regular session assembled on  
7 January 26, 2010:

8           1. The document entitled "Rules Governing Participation and Preferences by Property  
9 Owners and Business Occupants," as adopted by Agency Resolution No. RDA 98-19 on  
10 November 3, 1998, is hereby adopted by reference as the "Rules Governing Participation and  
11 Preferences by Property Owners and Business Occupants" for the area within Amendment No.  
12 2 to the Redevelopment Plan for the I-215 Corridor Project Area.

13           2. The document entitled "Relocation Method" as adopted by Agency Resolution No.  
14 RDA 98-20 on November 3, 1998, is hereby adopted by reference as the "Relocation Method"  
15 for the area within Amendment No. 2 to the Redevelopment Plan for the I-215 Corridor Project  
16 Area.

17           3. The Executive Director of the Agency is authorized and directed to make the above-  
18 described documents available for public inspection with a notice of the availability thereof  
19 included in the published notices of public hearing for the Redevelopment Plan for Amendment  
20 No. 2.

1 **BOARD OF DIRECTORS**

**REDEVELOPMENT AGENCY**

2  
3 **RESOLUTION NO. 2010-005**

4 **CONSENTING TO A JOINT PUBLIC HEARING WITH THE BOARD OF**  
5 **SUPERVISORS FOR THE COUNTY OF RIVERSIDE ON AMENDMENT NO. 2**  
6 **TO THE REDEVELOPMENT PLAN FOR THE I-215 CORRIDOR PROJECT**  
7 **AREA AND THE ASSOCIATED ENVIRONMENTAL IMPACT REPORT**

8 **WHEREAS**, the Redevelopment Agency for the County of Riverside (the "Agency") has  
9 initiated Amendment No. 2 to the Redevelopment Plan for the I-215 Corridor Project Area; and,

10 **WHEREAS**, Amendment No. 2 will add portions of South Mead Valley, Wagon Wheel,  
11 Good Hope, Meadowbrook and Warm Springs (the "Highway 74 Communities") to the  
12 Redevelopment Plan for the I-215 Corridor Project Area; and


13 **WHEREAS**, pursuant to Health and Safety Code Section 33355, the Agency and the  
14 Board of Supervisors for the County of Riverside (the "Board of Supervisors") may hold a joint  
15 public hearing on the proposed Amendment No. 2; and,

16 **WHEREAS**, Health and Safety Code Section 33349 requires that a notice of said public  
17 hearing be published in a newspaper of general circulation and be mailed to each property  
18 owner, resident, business, and affected taxing agency.

19 **BE IT RESOLVED, FOUND, DETERMINED and ORDERED** by the Board of Directors  
20 of the Redevelopment Agency for the County of Riverside, in regular session assembled on  
21 January 26, 2010, as follows:

22 1. The Agency hereby consents to a Joint Public Hearing with the Board of Supervisors  
23 on the Redevelopment Plan for the I-215 Corridor Project Area, Amendment No. 2: Highway 74  
24 Communities and the associated Environmental Impact Report at the following date, time, and  
25 place:

26 //  
27 //  
28 //

FORM APPROVED COUNTY COUNSEL  
BY:   
MICHELLE CLACK  
DATE: 1/23/10

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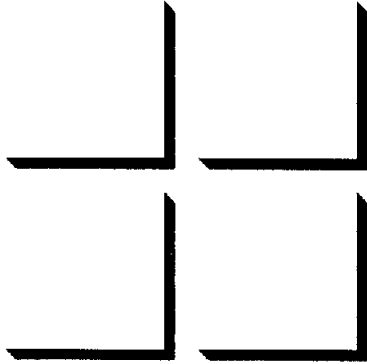
Date: Tuesday, March 23, 2010

Time: 9:30 a.m.

Place: County Administrative Center  
Board of Supervisors' Chambers  
4080 Lemon Street  
Riverside, CA 92501

2. The Secretary of the Agency, in cooperation with the County Clerk, is authorized and directed to give notice of such public hearing in the form and manner required by law.

Attachment A



October 19, 1998

# **Rules Governing Participation and Preferences for Owners, Operators of Businesses and Tenants**

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*REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE*

**GRC**

GRC REDEVELOPMENT CONSULTANTS, INC.  
1340 South Valley Vista Drive  
Suite 120  
Diamond Bar, California 91765

# Rules Governing Participation and Preferences for Owners, Operators of Businesses and Tenants

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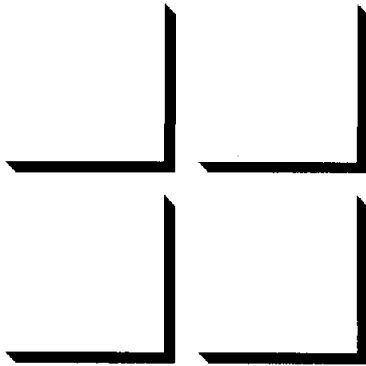
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## **1.0 PURPOSE AND INTENT**

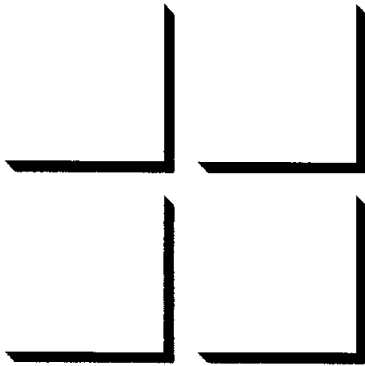
In 1986, the Riverside County Redevelopment Agency (the "Agency") adopted Redevelopment Project Areas 1-1986, 3-1986, 4-1986, and 5-1986, and in 1987 adopted Redevelopment Project Area No. 4-1987 (the "Proposed Project Areas" or "Amendment Areas"). These project areas include non-contiguous sub-areas throughout the county. In 1997, the Board directed Staff to consider amending these project areas to add territory in the communities of Lakeland Village/Wildomar, Homeland, Thousand Palms, Eagle Mountain and Highgrove.

To facilitate the addition of territory to each of these Project Areas, the Riverside County Board of Supervisors (the "Board") re-affirmed on September 23, 1997, the Survey Area for Project Areas 4-1986, 4-1987 and 5-1986. On March 10, 1998, the Board re-affirmed Project Areas 1-1986 and 3-1986. Then, on May 6, 1998, the Riverside County Planning Commission adopted Preliminary Plans and established boundaries for each of the proposed Amendment Areas.

In accordance with Section 33345 of the California Community Redevelopment Law (the "CRL"), the Agency desires to put into effect rules for owner participation, which shall be applicable to the Amendment Area. These "Rules Governing Participation and Preferences for Owners, Operators of Businesses and Tenants" for the Amendment Area (the "Owner Participation Rules") are promulgated to implement the provisions of the CRL and the Redevelopment Plan. The Owner Participation Rules set forth the procedures governing such participation in accordance with the draft Redevelopment Plan for the Project Area.

It is the intention of the Agency to encourage and permit participation in the redevelopment of the Amendment Area by owners, businesses, and tenants residing within the boundaries of the Amendment Area, to the extent feasible and consistent with the Redevelopment Plan. Participation by individual persons and firms is permitted; and, in

addition, to the extent feasible, two or more persons, firms or institutions are urged to participate by joining together in partnerships, corporations or other joint entities.



## 2.0 DEFINITIONS

**Agency** - means the Riverside County Redevelopment Agency.

**Amendment Area** - means the Amendment Area, as described in the Redevelopment Plan.

**Board** - means the Riverside County Board of Supervisors.

**Business** - means any person, persons, for-profit or not-for-profit corporation, association, partnership, sole proprietorship, or other entity engaged in business within the Amendment Area on the date of, or subsequent to, adoption of the Redevelopment Plan by the Riverside County Board of Supervisors.

**County** - means the County of Riverside, California.

**CRL** - Section 33000 *et seq.* of the California Health and Safety Code (the "Community Redevelopment Law")

**Executive Director** - means the Executive Director of the Riverside County Redevelopment Agency, or a designee.

**Non-Conforming Use** - means, for the purposes of this document, a use not principally or conditionally permitted by the applicable zoning designation.

**Owner** - means any person, persons, corporation, association, partnership, or other entity holding title of record to real property in the Amendment Area on the date of, or subsequent to adoption of the original Redevelopment Plan by the Board.

**Owner Participation Rules** - means this document.

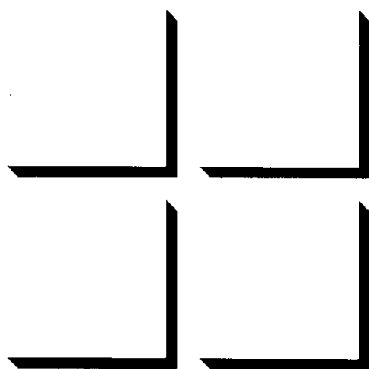
**Participation Agreement** - means an agreement entered into between the Agency and an owner, business or tenant living or

operating within the Amendment Area in accordance with the provisions of the Redevelopment Plan and the rules as designated herein.

**Redevelopment Plan** - means each of the Draft Redevelopment Plans amending Redevelopment Project Areas 1-1986, 3-1986, 4-1986, 4-1987 and 5-1986, as will be transmitted to the Agency; provided that, in the event the Agency completes proceedings to adopt the Redevelopment Plan for the Amendment Area, the Redevelopment Plan as so approved shall thereupon replace the draft Redevelopment Plan as the Redevelopment Plan for the Amendment Area for the purposes of these Owner Participation Rules, unless otherwise expressly set forth herein, as the Board shall elect to approve.

**Statement of Interest, and Statement of Interest to Participate** - means Exhibit "A" hereto, which is incorporated herein by reference.

**Tenant** - means any person, persons, corporation, association, business, partnership or other entity that rents or leases real property on the date of, or subsequent to, adoption of the original Redevelopment Plan by the Board.



### **3.0 GENERAL PROCEDURES**

These Owner Participation Rules have been prepared by the Agency specifically to implement the provisions of the Redevelopment Plan for the Amendment Area regarding participation and the exercise of re-entry preferences for owners, businesses and tenants within the Amendment Area (Sub-Section 311 of the Redevelopment Plan). Owners, businesses, and tenants who are desirous of exercising their participation rights and preferences shall abide by these Owner Participation Rules in exercising their preferences and participation opportunities.

The Agency desires and encourages participation in the redevelopment of the Amendment Area by existing owners, businesses, and tenants to the extent feasible in best achieving the objectives of the Redevelopment Plan. In view of the pattern of land use and development envisioned by the Redevelopment Plan, owners, businesses, and tenants in the Amendment Area will be encouraged, when feasible, to take advantage of their participation re-entry and preference opportunities as described herein. Participation opportunities are, however, necessarily subject to and limited by factors such as the following:

- Removal, relocation and/or installation of public utilities and public facilities.
- The construction, realignment, abandonment, widening, opening or other alteration or elimination of public rights-of-way.
- The elimination and/or modification of some existing uses.
- The realignment and/or alteration of some streets.
- The ability of participants to finance and complete proposed redevelopment within a reasonable time pursuant to a schedule for performance, with uses and improvements consistent with and in furtherance of the Redevelopment Plan.

- Any aggregation or reparcelization of parcels in the Amendment Area.
- Any change in orientation or character of the Amendment Area.
- The requirements of the Redevelopment Plan and applicable rules, regulations, and ordinances of the County.
- Any design guidelines adopted by the Agency pursuant to the Redevelopment Plan.
- The assembly and development of areas for public and/or private development in accordance with the Plan, and the necessity to assemble areas for such development.
- The feasibility of the potential participant's proposal.
- The capability and/or experience necessary to implement proposed development, as determined in good faith by the Agency.
- The construction and expansion of public facilities.

### **3.1 PRIORITIES AND PREFERENCES AMONG PARTICIPANTS**

If conflicts develop between the desires of participants and developers for particular sites or land uses, the Agency is, with consideration of the factors above, authorized to establish reasonable priorities and preferences among the potential participants and developers and to determine a solution by consideration of factors including but not limited to:

1. Length of time in the area
2. The needs and desires of the area
3. Accommodation of as many potential participants as possible
4. Ability to perform
5. Similar land uses
6. Conformity with intent and purpose of the Redevelopment Plan

Participation, to the extent feasible, shall be available for individuals, two or more persons, firms or institutions to join together in partnerships, corporations, or other joint entities. If a conflict develops, the Agency shall review the applicable factors and shall make a determination as to which of the competing proposals best meets the objectives of the CRL, the Redevelopment Plan and these Owner Participation Rules. The Agency is authorized to make that determination in its subjective judgment.

### **3.2 CRITERIA FOR EVALUATION PROPOSALS SUBMITTED BY PARTICIPANTS**

The Agency may, in its discretion, decline any offer of owner participation, resolve conflicting proposals between Owners or resolve conflicting proposals between Owners and others interested in developing their property. Proposals submitted for particular sites or land uses will be appraised by the Agency after consideration of the following factors:

1. Removal of blighting conditions within the Amendment Area and the upgrading of uses.
2. Conformity of the proposal, including with respect to uses, with the Redevelopment Plan and other applicable enactments.
3. Conformity of the proposal with the intent and objectives of the Redevelopment Plan.
4. The degree to which the proposal best furthers the objectives of the Redevelopment Plan.
5. The employment opportunities and economic benefits to the Agency and to the community that can be reasonably expected to result from the implementation of the proposals.
6. Development team qualifications, including experience and financial capacity to undertake the project, the ability of the person(s) desiring to redevelop the property to implement the proposed project, taking into consideration the proponent's financial capability, prior experience with similar development, degree of site control, ability to obtain financing, ability to abide by Agency design standards and development controls, and readiness to proceed.
7. Estimated cost, if any, of County or Agency involvement, including the provision of County or Agency services, to be required if the proposal is accepted.
8. Economic benefits to the Agency, the County, and the community, as determined by a cost/benefit analysis, if the proposal is approved and the proposed development implemented.
9. The likelihood of successful implementation.
10. Time schedule for completion of the proposed project.
11. Involvement of other Amendment Area tenants or owners.
12. Completeness of the proposal, including land uses, site control, financing proposal, densities, tenants and, if applicable, manufacturer or franchise approval.



13. Environmental benefits (or lesser degree of detrimental impact).
14. Quality of design, project concept and architectural design features.

Satisfaction of the above listed criteria can be effected by the submitted party itself, or by a partner or joint venturer. Any such partner or joint venturer must be identified at the time of submittal, and must be authorized to make representations to the agency on behalf of the partnership or joint venturer.

In the event conflicting submittals are received that satisfy the criteria set forth in above, the following criteria shall be applied to resolve such conflict:

1. Best satisfaction of the criteria set forth above.
2. Greatest public benefit.

The Agency may receive and consider proposals from persons other than owners or tenants. The Agency will evaluate all such proposals based upon the criteria set forth in the above section. The Agency shall give preference to proposal by owners and tenants in the event an owner or tenant submits a proposal that fulfills the criteria set forth in the above section to substantially the same extent as that achieved by a proposal by a person other than an owner or tenant.

### **3.3 TIME PERIODS FOR PARTICIPATION AND PROCEDURES FOR EVALUATION OF SUBMITTALS**

At any time prior to entering into an agreement with a developer from outside the Amendment Area for the assemblage of a particular site, the Agency, through its staff, will notify all directly affected Owners and Tenants from within the particular site of the Owner Participation Rules. Owners and tenants so notified will be given thirty (30) calendar days to respond, indicating by a "Statement of Interest" whether they are interested in being considered as participants and, if so, in what capacity (further described in Chapter 6.0). Any Statement of Interest must be in writing, in the form of Exhibit "A". The Agency staff shall, within ten (10) calendar days after receipt of a Statement of Interest, acknowledge receipt of the Statement by a confirming letter to the prospective participant. Such written acknowledgment shall not obligate the Agency to ultimately reach agreement with the applicant or to reject other proposals.

Within thirty (30) calendar days of the deadline for submitting the Statement of Interest, (thus, within a total of sixty (60) calendar days from original notification) any owner or tenant desiring to be considered as a developer must submit a detailed proposal for the project, which shall include such items as a construction proforma, an operating proforma, a business plan, side elevations and a site plan. An owner, or tenant desiring to participate as a tenant, shall describe generally its business, and shall provide such additional information as may be requested by the Executive Director. The Agency's staff will be available throughout the above-listed time frame to discuss proposals and to assist informally in the making of necessary adjustments conducive to the parties involved; provided that the proponent, and not the Agency staff, shall be responsible for the content of any proposal.

The Agency will make reasonable efforts to accommodate the interested owners, businesses, and tenants desiring to participate in the project. Upon receipt of requests for consideration by owners or tenants from within the Amendment Area with respect to owner participation or re-entry of business within the Amendment Area, the Agency through its staff, will review such submittals, as set forth below.

Upon receipt of submittals, initial evaluation shall be conducted by the Executive Director of the Agency. Each party making a submittal is responsible for the completeness and accuracy of its submittals. If requested by the Executive Director, submittals shall include a construction proforma (if applicable), an operating proforma, a business plan, side elevations and a site plan. Proposals to participate as tenants shall include a description of the subject business, a business plan, and such other information as the proponent may deem appropriate or as may be requested by the Executive Director. These items may also be requested of a party that expresses an interest to participate solely as a tenant.

In the event the Executive Director notifies a party making a submittal that the submittal is incomplete or that additional information is required, such party shall be allowed two (2) weeks to complete its submittal. The failure to provide such additional information of the submittal in a timely manner will terminate consideration of any such submittal.

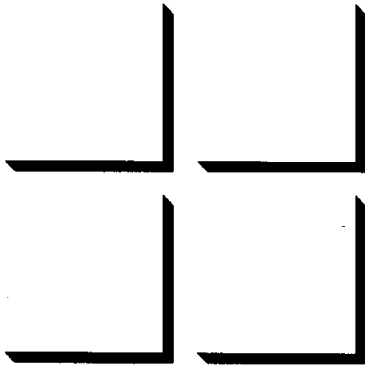
Upon receipt of one or more submittals, and additional information is applicable, the Executive Director will evaluate the submittal and make a determination with respect to whether the submittal conforms to the criteria set forth in Chapter 3.0. In the event a party having made a submittal disagrees with conclusions reached

by the Executive Director, such party may appeal such decision to the governing Board of the Agency by making written request therefore within ten (10) days after the Executive Director transmits notice of the initial evaluation. The review of such submittal(s) by the Agency shall be de novo (anew).

Where the Executive Director deems appropriate, the Executive Director or a staff member will meet with the applicant and discuss the proposal prior to making a determination concerning the proposal. A determination shall be made by the Executive Director within forty-five (45) calendar days after the receipt of the proposal, or the time the proposal is required to be received, whichever is earlier; provided that the foregoing 45-day period shall be subject to reasonable extension upon the mutual agreement of the Executive Director and the party making the submittal.

Any decision by the Executive Director resolving a conflict between submittals may be appealed for de novo review by the governing body of the Agency by the applicant by mailing a written request within ten (10) calendar days after the Executive Director transmits notice of his decision.

If an appeal is filed in accordance with the procedures herein set forth, all times otherwise applicable pursuant to these rules shall be extended until the Agency decides the appeal, or the appeal is withdrawn or otherwise finally determined.

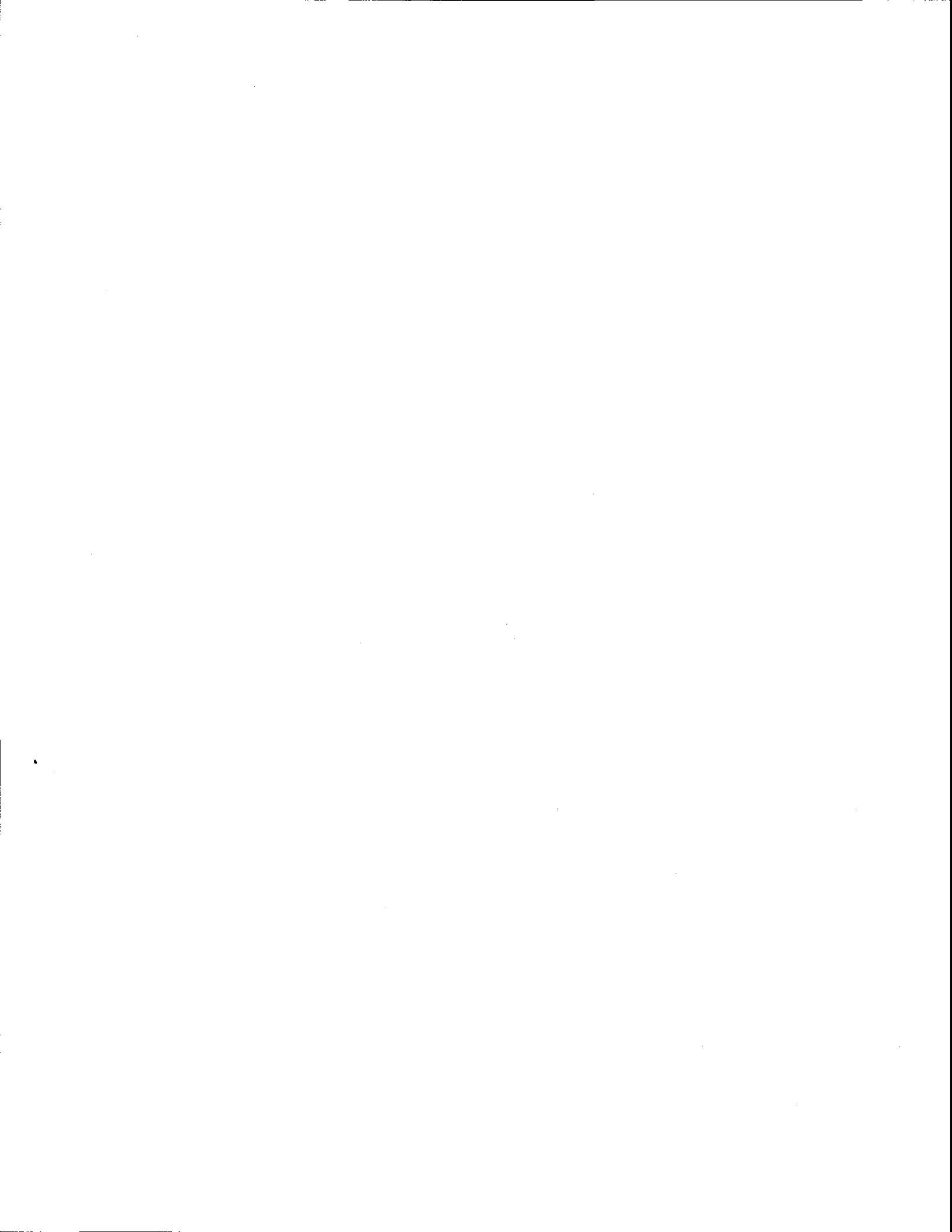


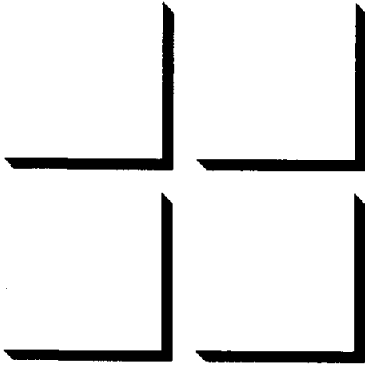
#### **4.0 PARTICIPATION BY OWNERS IN THE SAME LOCATION**

In appropriate circumstances where such action would foster the unified development contemplated by the Redevelopment Plan, an owner may participate in substantially the same location either by retaining all or portions of his property, or by retaining all or portions of his property and purchasing adjacent property if needed and available for development in accordance with the Redevelopment Plan. An owner who participates in the same location may be required to rehabilitate or demolish all or part of his existing buildings or the Agency may acquire only the buildings and remove or demolish such buildings.

Where a proposal to participate in the same location involves a building in good condition, but with an existing use which does not conform to the provisions of the Redevelopment Plan, the Agency may allow such use to continue provided that such use is generally compatible with the permitted uses in the area in which the building is located. In order to remain in the Amendment Area with a nonconforming use, the owner must agree to the imposition of such reasonable restrictions as are necessary to protect the permitted uses in the remainder of the Amendment Area.

The final decision concerning acquisition of real property by the Agency will be based upon the conditions existing at the time the Agency purchases property or enters into Participation Agreements.

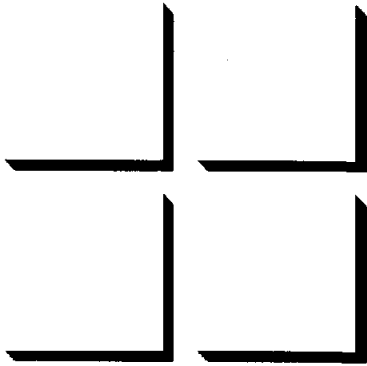




## **5.0 PARTICIPATION BY BUSINESSES AND TENANTS**

Pursuant to these Owner Participation Rules, businesses or tenants in the Amendment Area will be given a reasonable opportunity to remain or preferences to re-enter, into the Amendment Area, if they otherwise meet the requirements prescribed by the Redevelopment Plan and these Owner Participation Rules. In the case of re-entry, preferences will be given if suitable facilities become available with implementation of the Redevelopment Plan. The viability of the involvement of a business or tenant in re-entry will depend, in part, upon the ability of the person to participate on the basis proposed, including such factors as the ability to pay the requisite rent, the suitability of the proposed tenancy for the development under consideration, readiness to proceed, and those other factors as generally set forth in Chapter 3.0.





## **6.0 PROCEDURE FOR BECOMING A PARTICIPANT**

### **6.1 SUBMITTAL OF A STATEMENT OF INTEREST**

The Agency will, through its staff, work with each owner, business and tenant in the Amendment Area who desires to participate. The Agency will notify by certified mail, return receipt requested, the last known assessee of any particular property that will be affected by a project. Such notification will refer to these Owner Participation Rules and shall state that the Agency, through its staff, is available to answer questions or generally to provide advisory assistance. The notification will advise all such persons of the date by which interested owners, businesses, and tenants should submit to the Agency a completed form entitled "Statement of Interest to Participate" (see Appendix A attached hereto and incorporated herein by reference).

Every owner, business or tenant interested in becoming a participant shall submit to the Agency a completed Statement of Interest to Participate (Appendix A) within thirty (30) calendar days from the date of the notification. All Statements of Interest to Participate received after the established date for submission may be given consideration by the Agency, at its discretion, but in a priority secondary to those Statements of Interest to Participate received within the established date as defined above.

The Agency shall proceed to negotiate with each owner, business or tenant returning the statement of Interest to Participate as appropriate to each owner, business or tenant response.

Failure to comply with time limitations as described in Chapter 3.0 shall be deemed to constitute an abandonment and relinquishment of any right of the proponent to be considered as a participant



pursuant to the Redevelopment Plan and these Owner Participation Rules.

Subject to the provisions of these Owner Participation Rules, the Agency will endeavor in good faith to accommodate owners, business operators, or tenants desiring to develop or improve property in the Amendment Area by expediting the negotiation of Participation Agreements upon request. The foregoing shall not be deemed to diminish the rights or discretion of the Agency in implementing the Redevelopment Plan.

## **6.2 SUBMITTAL OF A PROPOSAL FOR OWNER/TENANT PARTICIPATION**

The Agency, by inclusion of these Owner Participation Rules or reference to these Owner Participation Rules in writing to any potential participant, shall be considered to have notified each owner, business, or tenant who has submitted a valid Statement of Interest to Participate (Appendix A) of the time within which they must submit a proposal for participation, if they desire participation.

In addition, if the Agency determines that an owner, business, or tenant within the Amendment Area will be required to enter into a Participation Agreement, the Agency shall notify the owner, business, or tenant in writing of its intention to require a Participation Agreement, and shall provide the owner, business, or tenant with a copy of the proposed Participation Agreement.

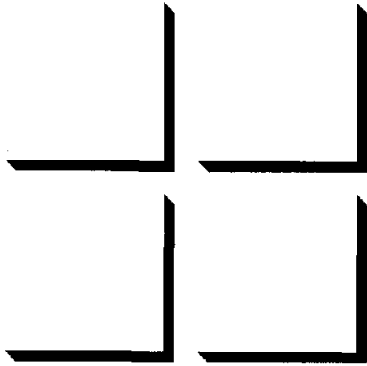
## **6.3 COMPLETION OF A PARTICIPATION AGREEMENT**

Each owner, business, or tenant who has submitted an acceptable proposal for participation shall enter into a Participation Agreement with the Agency. Each Participation Agreement will contain provisions necessary to ensure that the participation proposal will be carried out, and that the subject property will be developed and/or rehabilitated and used in accordance with the conditions, restrictions, rules and regulations of the Redevelopment Plan and the subject Participation Agreement. Each Participation Agreement will require the participant to join in the recordation of such documents as the Agency may require in order to ensure conformance with applicable laws, conditions, restrictions, rules and regulations. The Participation Agreement will also provide that a successor-in-interest of the original

participant may become a participant with the written approval of the Agency.

A Participation Agreement shall generally provide that if the owner, business, or tenant does not comply with the terms of the Agreement, the Agency, in addition to other remedies, may acquire their property or any interest therein by any lawful means, including eminent domain, for its fair market value as of the date of the Participation Agreement (or such other value as may be negotiated), and the Agency may thereafter dispose of the property or interest so acquired in accordance with the Redevelopment Plan. All Participation Agreements will become effective only when approved by the Agency.

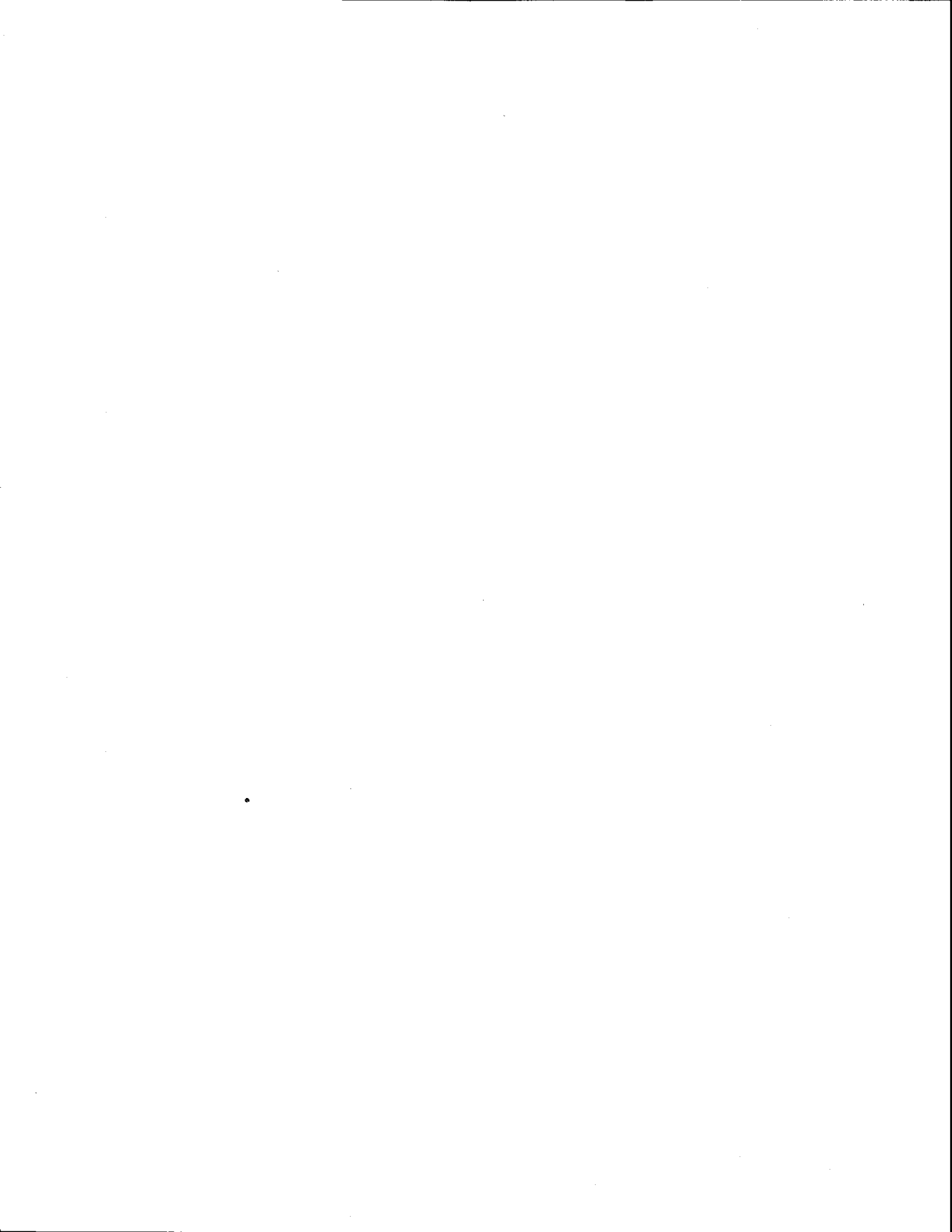


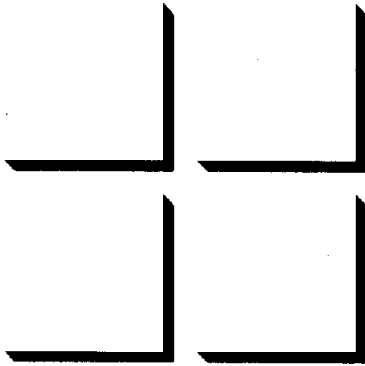


## **7.0 LIMITATIONS ON ACQUISITION OF PROPERTY BY THE AGENCY**

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

- Such building is required, under applicable housing, building, electrical, plumbing or other codes or standards, structural alteration, improvement, modernization or rehabilitation, to assure that such structures are decent, safe and sanitary for people and businesses to occupy.
- The site or lot on which the building is situated requires modification in size, configuration or use.
- It is necessary to impose upon such property any of the standards, restrictions and controls of the Redevelopment Plan, and the Owner fails or refuses to participate in the Redevelopment Plan by executing a Participation Agreement.

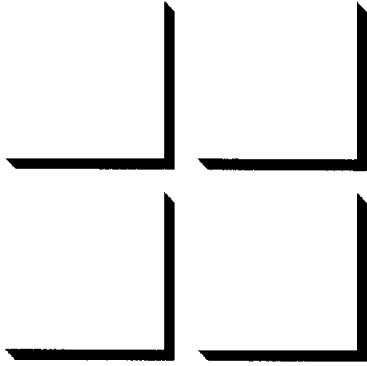




**8.0      PROCEDURE FOR AMENDING  
PARTICIPATION RULES**

The Agency may amend these rules after their adoption, but only after notice to the Agency Board. Such notice shall be delivered at least ten (10) calendar days before the date on which the proposed Amendment will be considered.





## ***APPENDIX A***

### *Statement of Interest to Participate*



**Riverside County Redevelopment Project Area No. \_\_\_\_\_**  
**Statement of Interest in Participation**

I hereby express my interest in participating in the Riverside County Redevelopment Project Area No. \_\_\_\_\_ and submit the following information:

1. Name: \_\_\_\_\_ Telephone(\_\_\_\_\_) \_\_\_\_\_

2. Home Address: \_\_\_\_\_  
\_\_\_\_\_

3. Name of Business: \_\_\_\_\_

4. Address of Business: \_\_\_\_\_  
\_\_\_\_\_

5. My present involvement in the Amendment Area is (please check where applicable):

I now own (\_\_\_\_); am a tenant (\_\_\_\_); and wish to rehabilitate (\_\_\_\_); build (\_\_\_\_); sell (\_\_\_\_) my present property.

If tenant, indicate: month-to-month (\_\_\_\_); lease (\_\_\_\_); expiration date of lease: \_\_\_\_\_ Options extend lease to \_\_\_\_\_.

If lease, is there an option to purchase? Yes (\_\_\_\_); No (\_\_\_\_).

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. I am interested in participating:

As a property owner (\_\_\_\_); As a tenant (\_\_\_\_);

Other (please describe): \_\_\_\_\_

7. My present type of business is: \_\_\_\_\_

**8. If I participate:**

I would like to continue at the same location (\_\_\_\_\_)

I would like to change my present location (\_\_\_\_\_)

I would like to acquire real property for expansion (indicate approximate location requirements:

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**9. Background, experience, and information concerning your proposal (you may include further information on this page or attach additional sheets if you desire to do so):**

(a) Generally describe background and experience: \_\_\_\_\_

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(b) Describe the activities you propose and indicate your experience relevant to your proposal:

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(c) If you enclose a business plan or construction and operating proforma relative to your proposed activity, these will be considered with your statement of interest.

**ADDITIONAL REMARKS:**

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**10. I understand that submission of this Statement of Interest does not in any way obligate me to participate in the Amendment.**

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

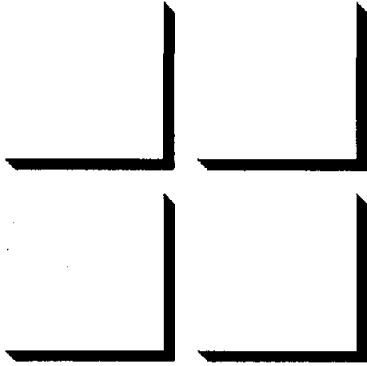
Title (if applicable): \_\_\_\_\_

Dated: \_\_\_\_\_

**RETURN WITHIN 30 CALENDAR DAYS TO:**

Statement of Interest  
c/o Executive Director's Office  
County of Riverside Redevelopment Agency  
3525 Fourteenth Street  
Riverside, CA 92501-3813

Attachment B



October 14, 1998

## **Relocation Method**

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*RIVERSIDE COUNTY REDEVELOPMENT AGENCY*

**GRC**

GRC REDEVELOPMENT CONSULTANTS, INC.  
1340 South Valley Vista Drive  
Suite 120  
Diamond Bar, California 91765

# Relocation Method

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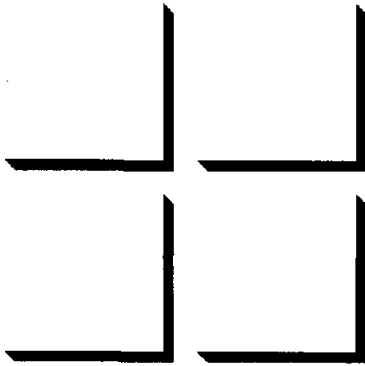
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**Appendix A - Minimum Contents of Informational Statements**



## **1.0 INTRODUCTION**

### **1.1 GENERAL**

Pursuant to Section 33411 of the California Community Redevelopment Law (the "CRL"), a method or plan must be prepared for the relocation of families, persons and non-profit local community institutions to be temporarily or permanently displaced from a designated project area. The method that follows is in compliance with the law, and is further intended to demonstrate the clear intentions of both Riverside County and the Riverside County Redevelopment Agency to provide relocation advisory assistance as required by law to persons who may be displaced from the Project Area. Such professional assistance, together with payment of relocation benefits as provided for in Sections 7260 et seq. of the Government Code, are purposefully intended to minimize the inconvenience caused by displacement and the need to relocate.

The Redevelopment Plan is not a specific plan for the redevelopment of the Project Area. The Redevelopment Plan does not, for example, specify parcels that the Agency intends to acquire, nor does the Redevelopment Plan indicate who will be displaced by Agency activities. The Redevelopment Plan is, however, a document that authorizes a wide variety of Agency activities, some of which could result in displacement of some businesses, residents, and others at some undetermined point in the future. If relocation activities become necessary in the future, such relocation activities will be governed by this Relocation Method and by the Relocation Assistance Regulations of Riverside County as now written or as hereafter amended. Said regulations are adopted by reference as part of this Relocation Method. If there is a conflict between this Relocation Method and the Relocation Assistance Regulations, the latter shall control.

## 1.2 DEFINITIONS

**Acquired Dwelling** - means a dwelling purchased by the Agency, a dwelling for which purchase negotiations have been initiated, or a dwelling on which rehabilitation activities or Owner Participation Agreement activities have been required.

**Agency** - means the Riverside County Redevelopment Agency, its staff, the consultants and contractors it employs.

**Amendment Area** - means the Amendment Area as described in the Redevelopment Plan.

**Apartment complex** - means four or more residential rental units subject to common ownership and financing that are also located on the same or contiguous parcels.

**Appraisal** - means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

**Average Annual Net Earnings** - means one-half of any net earnings of the business or farm operation before federal, state and local income taxes during the two taxable years immediately preceding the taxable year in which the business or farm operation moves from the real property having been acquired, or during any other period as the Director determines to be more equitable for establishing such earnings, and includes any compensation paid by the business or farm operation to the owner, the owner's spouse or the owner's dependents during the two-year period or, in the case of a corporate owner, earnings of the owner of a majority interest in the corporation. For the purpose of determining majority ownership, stock held by a husband, wife and their dependent children shall be treated as one unit.

**Business** - means any lawful activity, excepting a farm operation, conducted for any of the following:

1. Primarily for the purchase, sale, lease or rental of personal and real property, and for the manufacture, processing or marketing of products, commodities or any other personal property.
2. Primarily for the sale of services to the public.
3. Primarily by a nonprofit organization.



4. Solely for the purpose of moving and related expenses, for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display(s), whether or not such display(s) is located on the premises on which any of the activities are conducted.

**County-** means the County of Riverside.

**Comparable Replacement Dwelling** - means a dwelling, which is:

1. Decent, safe and sanitary (as defined in Section 213), and comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space than is necessary to accommodate the displaced person.
2. In an area not subjected to unreasonable adverse environmental conditions from either natural or manmade sources, and not generally less desirable than the acquired dwelling with respect to public utilities, public and commercial facilities and neighborhood conditions, including schools and municipal services, and reasonably accessible to the displaced person's present or potential place of employment; provided that a potential place of employment may not be used to satisfy the accessibility requirement if the displaced person objects.

These Guidelines do not require that the replacement dwelling be generally as desirable as the acquired dwelling with respect to environmental characteristics. Though a displaced person does not have to accept a dwelling subject to unreasonable adverse environmental conditions, neither is a public entity required to duplicate environmental characteristics, such as scenic vistas or proximity to the ocean, lakes, rivers, forests or other natural phenomena.

If the displaced person so wishes, every reasonable effort shall be made to relocate such person within or near to his existing neighborhood. Whenever practicable the replacement dwelling shall be reasonably close to relatives, friends, services or organizations with whom there is an existing dependency relationship.

3. Available on the private market to the displaced person and available to all persons regardless of race, color, sex, marital status, religion, or national origin in a manner

consistent with Title VIII of the Civil Rights Act of 1968 or any other applicable State or Federal anti-discrimination law.

4. To the extent practicable and where consistent with Paragraph 1 of this section, functionally equivalent and substantially the same as the acquired dwelling, but not excluding newly constructed housing.
5. Within the financial means of the displaced person. A replacement dwelling is within the financial means of a displaced person if the monthly housing cost (including payments for mortgage, insurance and property taxes) or rental cost (including utilities and other reasonable recurring expenses) minus any replacement housing payment available to the person (as provided in Sections 604 and 614) does not exceed thirty percent (30%) of the person's average monthly income (as defined in Sections 206 and 228).

A replacement dwelling is within the financial means of a displaced person also if the purchase price of the dwelling including related increased interest costs and other reasonable expenses (as described in Section 604) does not exceed the total of the amount of just compensation provided for the dwelling acquired and the replacement housing payment available to the person (as provided in Section 604).

If the dwelling which satisfies these standards is not available, the public entity may consider a dwelling which exceeds them.

**Conventional Loan** - means a mortgage commonly given by banks, savings and loan associations to secure advances on, or the unpaid purchase price of, real property, payment of which is not insured by any agency of the state or federal governments.

**Counted Room** - means the space in a dwelling unit containing the usual quantity of household furniture, equipment and personal property. It shall include such space as a recreation room, living room, study, library, dining room, kitchen, laundry room, basement and garage. Rooms or storage areas which contain substantial amounts of personal property equivalent to one or more rooms may be counted as additional rooms.

**Date of Initiation of Negotiations for the Parcel** - means the date the Agency makes the first personal contact with the owner or the owner's representative and furnishes the owner with a written offer to purchase the property.

For purposes of establishing payment eligibility in the case of rehabilitation, code enforcement and Owner Participation Agreement activities, "Initiation of Negotiations" shall mean the date on which a displacee moves from a displacement site.

**Director** - means the Executive Director of the Agency.

**Displaced Person or Relocatee** - means both of the following:

- (1) Any person who moves from real property, or who moves his or her personal property from real property, either:
  - (a) As a direct result of a written notice of intent to acquire or the acquisition of the real property, in whole or in part, for a program or project undertaken by a public entity or by any person having an agreement with or acting on behalf of a public entity.
  - (b) As a direct result of the rehabilitation, demolition, or other displacing activity as the public entity may prescribe under a program or project undertaken by a public entity, of real property on which the person is a residential tenant or conducts a business or farm operation, in any case in which the public entity determines that the displacement is permanent. For purposes of this section, "residential tenant" includes any occupant of a residential hotel unit, as defined in subdivision (b) of Section 50669 of the Health and Safety Code, and any occupant of employee housing, as defined in Section 17008 of the Health and Safety Code, but shall not include any person who has been determined to be in unlawful occupancy of the displacement dwelling.
- (2) Solely for the purposes of determining a person's eligibility for relocation assistance and moving and related expenses, any person who moves from real property, or moves his or her personal property from real property, either:

- (a) As a direct result of a written notice of intent to acquire or the acquisition of other real property, in whole or in part, on which the person conducts a business or farm operation, for a program or project undertaken by a public entity.
- (b) As a direct result of the rehabilitation, demolition, or other displacing activity as the public entity may prescribe under a program or project undertaken by a public entity, of other real property on which the person conducts a business or farm operation, in any case in which the public entity determines that the displacement is permanent.

This definition shall be construed so that persons displaced as a result of public action receive relocation benefits in cases where they are displaced as a result of an Owner Participation Agreement or an acquisition carried out by a private person for or in connection with a public use where the public entity is otherwise empowered to acquire the property to carry out the public use. Except persons or families of low and moderate income, as defined in Section 50093 of the Health and Safety Code, who are occupants of housing, which was made available to them on a permanent basis by a public agency, and who are required to move from the housing, a displaced person shall not include any of the following:

1. Any person who has been determined to be in unlawful occupancy of the displacement dwellings.
2. Any person whose right of possession at the time of moving arose after the date of the public entity's acquisition of the real property.
3. Any person who has occupied the real property for the purpose of obtaining assistance under the California Relocation Assistance Law (Government Code Sections 7260 et seq.).

In any case in which the public entity acquires property for a program or project (other than a person who was an occupant of the property at the time it was acquired), any person who occupies the property for a period subject to termination when the property is needed for the program or project.

- (3) A person who is temporarily displaced for not more than 180 days, and who is offered occupancy of a comparable replacement unit located within the same apartment complex that contains the unit from which he or she has been displaced, shall not be deemed a "displaced person"

for the purposes of these rules and regulations. This section shall be applicable only if all of the following conditions are complied with:

- (4) All other financial benefits and services otherwise required under this Section are provided to the tenants temporarily displaced from their units.
- (5) The resident is offered the right to return to his or her original unit, with rent for the first 12 months subsequent to that return being the lower of the following: up to 5 percent higher than the rent at the time of displacement; or up to 30 percent of household income.
- (6) The temporary unit is not unreasonably impacted by the effects of the construction, taking into consideration the ages and physical conditions of the members of the displaced household, and the estimated period of displacement is reasonable.
- (7) The property is a qualified affordable housing preservation project.

**Displacing Agency** - means any public entity or person carrying out a program or project that causes a person to be a displaced person for a public project.

**Dwelling** - means the place of permanent or customary and usual abode of a person, including any single-family or multipurpose house, a single-family unit (including a nonhousekeeping unit) in a multi-family building, a unit of a condominium or cooperative housing project, a mobile home or any other residential unit which either is considered to be real property under State Law or cannot be moved without substantial damage or unreasonable cost. A second home will be considered to be a dwelling only for the purpose of establishing eligibility for payment for moving and related expenses.

**Economic Rent** - means the amount of rent a tenant or homeowner would have to pay for a dwelling similar to the acquired dwelling in a comparable area.

**Effective Rate of Interest** - means the annual percentage rate paid on the debt of a mortgage as a result of including debt service charges in the total interest to be paid on the mortgage debt, as an incident to the extension of credit, when such debt service charges are normal to the market.

**Eligible Person** - means any displaced person who is lawfully entitled to any relocation payment under state or federal regulations.

**Family** - means two or more individuals who by blood, marriage, adoption or mutual consent live together as a family unit.

**Farm Operation** - means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing these products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

**Gross Income** - means the total annual income of an individual, or where a family is displaced total annual income of the parents or adult heads of household, less the following:

1. A deduction of \$500.00 for each dependent in excess of three.
2. A deduction of ten percent (10%) of total income for an elderly or handicapped household.
3. A deduction for recurring, extraordinary medical expenses, defined for this purpose to mean medical expenses in excess of three percent (3%) of total income, where not compensated for or covered by insurance or other sources, such as public assistance or tort recovery.
4. A deduction of reasonable amounts paid for the care of children or sick or incapacitated family members when determined to be necessary to employment of the head or spouse, except that the amount deducted shall not exceed the amount of income received by the person thus released.
5. Gross income is divided by twelve to ascertain the average monthly income. Relocation and property acquisition payments are not to be considered income for determination of financial means..

**Incidental Expenses** - means reasonable expenses incurred for evidence of title, recording, fees and other closing costs on the purchase of a replacement dwelling.

**Lead Agency** - means the Department of Housing and Community Development.

**Mobile Home** - means a structure described in Health and Safety Code section 18007 and 18008, which is transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. A self-propelled vehicle is not a mobile home.

**Mortgage** - means classes of liens that are commonly given to secure advances on, or the unpaid purchase price of, real property, together with the credit instruments, if any, secured thereby.

**Moving Expense** - means the cost of dismantling, disconnecting, crating, loading, insuring, temporary storage, transporting, unloading and reinstalling of personal property, including service charges in connection with effecting such reinstallations, and necessary temporary lodging and transportation of eligible persons.

**Nonprofit Organization** - means an organization that is incorporated under the applicable laws of the State or non-profit organization and is exempt from paying Federal income taxes under Section 501 of the Internal Revenue Code (26 U.S. 501).

**Owner** - person "owns a dwelling" if he or she:

1. Holds fee title, a life estate, a land contract, a 50-year lease or a lease including any option for extension with at least 20 years to run from date of acquisition of the property for the Project.
2. Holds an interest in a cooperative housing project, which includes the rights of occupancy of a dwelling unit therein.
3. Is the contract purchaser of any of the foregoing estates or interests.
4. Has a leasehold interest with an option to purchase.
5. Owns a mobile unit, which, under state law, is determined to be real property, not personal property.

**Person** - means any individual, partnership, corporation, limited liability corporation, or association.

**Personal Property** - tangible, personal property means tangible property which is situated on the real property

vacated, or to be vacated, by a displaced person and which is considered personal property and is noncompensable (other than for moving expenses) under the state law. In the case of a tenant, fixtures and equipment and other property which may be characterized as real property under state or local law, but which the tenant may lawfully, and at his or her election, determines to move and for which the tenant is not compensated in the real property acquisition.

In the case of an owner of real property, the determination as to whether an item of property is personal or real shall depend upon how it is identified in the acquisition appraisals and the closing or settlement statement with respect to the real property acquisitions: provided that no item of property which is compensable under state and local law to the owner of real property in the real property acquisition may be treated as tangible personal property in computing actual direct losses of tangible personal property.

**Persons and Families of Low- and Moderate-Income** - means persons and families falling within the definition of said term as set forth in Section 50093 of the Health and Safety Code of the State of California.

**Prepaid Expenses** - means items paid in advance by the seller of real property and prorated between such seller and the buyer of such real property at the close of escrow, including, but not limited to, real property taxes, for insurance, homeowners' association dues and assessment payments.

**Public Entity** - includes the state, the Regents of the University of California, a county, city, city and county, district, public authority, public agency, and any other political subdivision or public corporation in the state or any entity acting on behalf of these agencies when acquiring real property, or any interest therein, in any county, city or city and county for public use and any person who has the authority to acquire by eminent domain under the state law.

**Public Use** - means a use for which real property may be acquired by eminent domain.

**Purchases** - (Replacement Housing) - means the acquisition, construction or rehabilitation of a dwelling, the purchase and rehabilitation of a substandard dwelling, the relocation or relocation and rehabilitation of an existing dwelling, or the entering into a contract to purchase, or for the construction of a dwelling to be constructed on a site to be provided by a builder



or developer or on a site which the displaced person owns or acquired for such purpose.

Mobile homes must be registered with the California Department of Motor Vehicles in the name of the claimant in order that they be considered as "purchased" replacement dwellings.

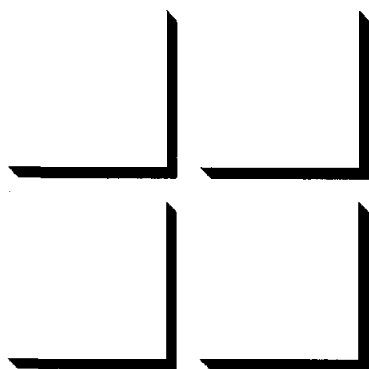
**Qualified affordable housing preservation project** - is any complex of four or more units whose owners enter into a recorded regulatory agreement, having a term for the useful life of the project, with any entity for the provision of project rehabilitation financing. For this purpose, the regulatory agreement shall require of the owner and all successors and assigns of the owner, as long as the regulatory agreement is in effect, that at least 49 percent of the tenants in the project shall have, at the time of the recordation of the regulatory agreement required by this section, incomes not in excess of 60 percent of the area median income, adjusted by household size, as determined by the appropriate agency of the State of California. In addition, a project shall be defined as a qualified affordable housing preservation project only if the beneficiary of the regulatory agreement elects this designation by so indicating on the regulatory agreement.

**Small Business** - means a business having at least one, but not more than 500, employees working at the site being acquired or displaced by a program or project.

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## **2.0 ADMINISTRATIVE ORGANIZATION**

### **2.1 RESPONSIBLE AGENCY**

The Riverside County Redevelopment Agency is the local public agency that is responsible for the relocation of individuals, families, businesses and institutions displaced as a result of redevelopment project activities, including rehabilitation, demolition, code enforcement and acquisition. The Agency may meet its relocation responsibilities through qualified staff or consultants that will manage the complexities of providing relocation advisory assistance. Their services may be supplemented with assistance from local Realtors, social agencies and civic organizations.

### **2.2 STAFFING**

The Agency's Executive Director shall be responsible for developing and administering the Agency's program for relocation advisory assistance to all occupants within the Project Area that are required to move as a result of redevelopment activities. Relocation assistance policies shall provide for fair, uniform and equitable treatment of all affected persons.

The Agency shall insure that staff or consultants who are charged with the duties of providing relocation implementation services are qualified and experienced in housing and urban development, relocation procedures, social service programs, public housing and property management. The Agency's relocation program shall be designed so as to maximize the use of other County departments, as appropriate, as well as other social service agencies that regularly provide counseling, referral and specialized programs to those who qualify. Such relocation program shall, to the extent feasible, be designed to encourage relocation of families and persons into other

neighborhoods in the incorporated portions of the County of Riverside without interfering with the displacee's option to select a replacement house of his or her choice, whether that choice is within or outside the incorporated portions of the County of Riverside.

### **2.3 FUNCTIONS OF THE RELOCATION PROGRAM**

The functions of the Agency's relocation program shall include the following:

1. Interpret the Agency's program to all site occupants and the general public to enlist their understanding and support, and to answer questions about the Project and its effect upon Project site occupants.
2. Recognize at an early stage the problems associated with the displacement of individuals, families, businesses, and farm operations and provide for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite project completion.
3. Determine and make timely recommendations on the relocation needs and preferences of all site occupants, and to keep each informed of their rights and responsibilities under the redevelopment program, as well as to apprise them of the relocation resources, special services and aids to which they are entitled.
4. Enlist the cooperation of real estate agents, home builders, property management firms, social service agencies, civic groups and others in locating suitable relocation accommodations for displacees, and to provide other services deemed essential for the successful relocation of site occupants.
5. Locate, inspect and evaluate or stimulate the development of housing facilities to meet the needs of all site occupants and refer and otherwise assist site occupants to secure housing which they require.
6. Secure priority consideration for persons eligible for and desiring public housing or any other housing to which displacees are entitled as a result of Agency redevelopment activities, and take other appropriate steps as necessary to expedite their placement into such housing.
7. Advise and assist affected owners and site occupants in understanding and utilizing the "owner and tenant participation" opportunities provided for in the Redevelopment Plan and in the Rules Governing

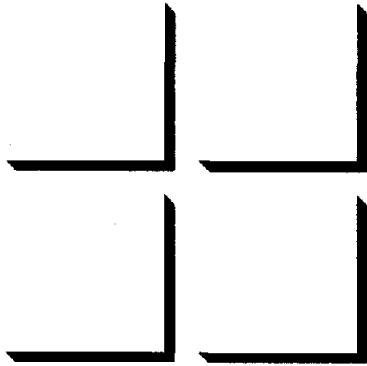
Participation and Preferences for Owners, Operators of Businesses and Tenants.

8. Assist affected prospective home buyers in obtaining appropriate mortgage financing and advise them of special FHA, VA and other financial aids available.
9. Make referrals to community, social, welfare and other similar agencies, when such referrals are deemed advisable and cooperate with these agencies on an individual basis to assist in the solution of specific problems affecting the relocation of individuals or groups of relocatees.
10. Maintain liaison services between businesses, site occupants and commercial property brokers, realty councils, Chambers of Commerce, the Small Business Administration, lending institutions and other appropriate resources for advice and assistance in effecting the satisfactory relocation of site occupants.
11. Assist affected site occupants in preparing all claims for relocation payments to which they are entitled.
12. Establish records, maintain files and provide ongoing reports to the Executive Director on field relocation activities.
13. Coordinate relocation activities with other Agency operations.
14. Provide any services required to insure that the relocation process does not result in different or separate treatment on account of race, color, religion, ancestry, national origin, sex, sexual preference, marital status or other arbitrary circumstances.

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## **3.0 REPLACEMENT HOUSING STANDARDS**

### **3.1 GENERAL**

It is the Agency's objective that all displaced residential site occupants be rehoused, with a minimum of hardship, into a Comparable Replacement Dwelling. The standards set forth below have been established by the Agency to achieve these objectives.

### **3.2 STANDARDS FOR DWELLINGS**

A decent, safe and sanitary dwelling is one that meets all of the following minimum requirements:

1. Conforms with all applicable provisions for existing structures that have been established under state or County building, plumbing, electrical, housing and occupancy codes and similar ordinances or regulations. A unit that is occupied by no more than the maximum number of people allowed under the Uniform Housing Code, as adopted by the state, shall be considered to be in compliance with the occupancy provisions of this section.
2. Has a continuing and adequate supply of potable safe water.
3. Has a kitchen or an area set aside for kitchen use, which contains a sink in good working condition connected to hot and cold water and an adequate sewage system. A stove and refrigerator in good operating condition shall be provided when required by local code, ordinances or custom. When these facilities are not so required by local codes, ordinances or custom, the kitchen area or area set aside for such use shall have utility service connections and adequate space for the installation of such facilities.

4. Has an adequate heating system in good working order, which will maintain a minimum temperature of 70 degrees in the living area, excluding bedrooms, under local outdoor temperature conditions. A heating system will not be required in those geographical areas where such is not normally included in new housing.
5. Has a bathroom, well-lighted and ventilated and affording privacy to a person within it, containing a lavatory basin and a bathtub or stall shower, properly connected to an adequate supply of hot and cold running water, and a flush toilet, all in good working order and properly connected to a sewage disposal system.
6. Has an adequate and a safe wiring system for lighting and other electrical services.
7. Is structurally sound, weathertight, in good repair and adequately maintained.
8. Each building used for dwelling purposes shall have a safe unobstructed means of exit leading to safe open space at ground level. Each dwelling unit in a multi-dwelling building must have access, either directly or through a common corridor, to a means of exit to open space at ground level. In multi-dwelling buildings of three stories or more, the common corridor on each story must have at least two means of exit.
9. Has 150 square feet of habitable floor space for the first occupant in a standard living unit and at least 100 square feet of habitable floor space for each additional occupant. The floor space is to be subdivided into sufficient rooms to be adequate for the family. All rooms must be adequately ventilated. Habitable floor space is defined as that space used for sleeping, living, cooking or dining purposes and excludes such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries and unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.
10. Every bedroom shall contain not less than 70 square feet of surface floor area and at least one window opening to the outside. If more than two persons occupy the room, an additional 50 square feet of floor area shall be required for each additional person.



### **3.3 STANDARDS FOR SLEEPING ROOMS (NON-HOUSEKEEPING UNITS)**

A decent, safe and sanitary sleeping room is one which includes the minimum requirements contained in Section 3.2, Paragraphs 2, 4, 6, 7 and 8, and the following:

1. At least 100 square feet of habitable floor space for the first occupant and 50 square feet of habitable floor space for each additional occupant.
2. Lavatory, bath and toilet facilities that provide privacy, including a door that can be locked if such facilities are separate from the room.

### **3.4 STANDARDS FOR MOBILE HOMES**

A decent, safe and sanitary mobile home is one which includes the minimum requirements contained in Section 3.2, Paragraphs 2, 4, 6, 7 and 8, and bears the insignia of approval issued by the State of California, Department of Housing and Community Development, pursuant to the California Health and Safety Code, except those manufactured prior to September 1, 1958.

### **3.5 ABILITY TO PAY**

The Agency's relocation staff will give consideration to the particular financial situation of each family or individual, and will seek the occupant's concurrence in the final determination of what he or she can afford to pay for housing. Reasonable efforts will be made to maintain the lowest possible housing cost-income ratio, which at the same time provides the relocatee with adequate housing.

As a general rule, displacees should usually be able to pay gross monthly rentals based on the following criteria:

1. Families and individuals - 30% of gross income or such greater percentage as may be permitted by law.
2. Displacees eligible for public housing - rents as established by a Housing Authority, which are graded to income.
3. Incomes, assets and debts are to be evaluated in determining the relative price which is approximately two and one-half times annual gross family income, combined

with monthly payments, not exceeding 30% of gross monthly income or such greater percentage as may be permitted by law, will be considered as being within the financial means of those contemplating home ownership.

Displacees may voluntarily relocate to units exceeding these standards in price, but such units may not be used as referrals by the Agency.

### **3.6 MISCELLANEOUS**

Additionally, units used for referral or feasibility purposes may not be located in areas subject to unreasonable environmental influences and must be available on a nondiscriminatory basis.

### **3.7 EXCEPTIONS**

Exceptions to housing standards may be granted in emergency or other unusual situations. Such exceptions will be limited to items and circumstances that are beyond the reasonable control of the relocatee. Exceptions will not be granted for items that render the dwelling hazardous, unsafe or unsanitary.

### **3.8 ENVIRONMENTAL STANDARDS**

It will be the Agency's policy to refer families and individuals to housing in areas not less desirable in regard to public utilities and services and commercial facilities than presently available in the Project Area. Furthermore, such housing shall, to the extent possible, be within a reasonable distance for daily commuting to the displacee's place of employment.

### **3.9 TEMPORARY HOUSING STANDARDS**

Housing not meeting the Agency's established standards for permanent relocation may be used for temporary housing only when it becomes necessary to relocate a site occupant pending the availability of permanent quarters; to facilitate the commencement of operations for the demolition of site improvement; to vacate premises that are unsafe; and/or to effectuate reductions in overall Project costs. Permanent housing facilities shall be made available no later than twelve months from the date that any person is displaced. Pending

the development or location of permanent replacement housing fulfilling the requirements of this method, the Agency will assure that there are available to displaced persons adequate temporary housing facilities at rents comparable to those being paid in the community at the time of displacement.

In no event will the temporary housing offered by the relocation staff be of less desirable character than that from which the site occupant is being moved; further, such temporary housing shall be in a safe and habitable condition.

Temporary relocations made by the Agency will be kept to a minimum, both as to number and duration, and will not diminish the Agency's obligation with respect to the displacee's permanent relocation. The necessary costs incurred in temporary on-site moves made at the direction of the Agency will be paid by the Agency.

If a self-relocatee moves into temporary housing and declines without satisfactory reason to accept standard housing to which he or she is referred, the Agency's responsibility to the relocatee will be considered to have been discharged.

### **3.10 OBTAINING RELOCATION HOUSING**

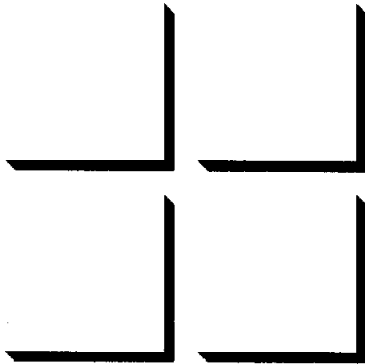
The Agency will establish a working relationship with owners, operating managers, realtors, multiple listing bureaus, property management firms and others offering a wide variety of private standard housing for rent or sale. Based principally on this relationship, an ample supply of replacement housing will be made available in order to carry out the Agency's relocation program.

Within 60 days of the initiation of negotiations to acquire a parcel of real property, the Agency shall initiate a survey of available comparable replacement dwellings. The Agency will obtain, inspect and maintain current listings of standard rental and sale properties that are appropriate for relocation and are available on a nondiscriminatory basis. Information on the size, rental or sale price, financing terms and location of available units will be given to displacees seeking referrals and, as necessary, the relocation staff may provide transportation or otherwise assist the site occupant in obtaining such housing.

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## **4.0 ASSURANCE OF RELOCATION RESOURCES**

### **4.1 GENERAL**

Before actual displacement is to occur, the Agency will assure that, within a reasonable period of time, there will be available to all displaced persons, a Comparable Replacement Dwelling sufficient to meet the needs of the displacees.

In order that the Agency make such assurance, it will, prior to any displacement, undertake surveys of the needs of displacees and a survey and analysis of available relocation resources including the nature and extent of available standard housing suitable to meet the needs of those families and individuals to be displaced. The survey shall be conducted in accordance with the California Relocation Assistance and Real Property Guidelines.

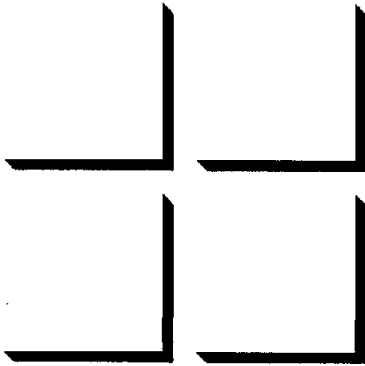
Adequacy of housing resources will be judged on the basis of such factors as vacancy rates, actual availability within applicable unit size and price range criteria, degree of choice available within the housing supply, and relationship of available units found to the needs of displacees as determined by occupancy surveys.

The Agency will document a finding of adequacy of housing availability after completion of the required surveys and upon demonstration that resources will be available at least sixty (60) days before displacement occurs.

No family or individual will be required to move until or unless suitable replacement housing is available at a price they can afford; no family or individual will be required to move unless or until at least three (3) such suitable units have been offered to the displacee and rejected by the displacee.

#### **4.2 PERSONS OF LOW- AND MODERATE-INCOME**

Notwithstanding any provisions in this method to the contrary, no persons or families of low- or moderate-income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced persons at rents which are comparable to those being paid by such displaced persons at the time of their displacement.



## **5.0 RELOCATION ADVISORY ASSISTANCE**

### **5.1 GENERAL**

The Agency will provide advisory assistance to all persons displaced or to be displaced as a result of programs or projects undertaken by the Agency, and to all persons who, because of the acquisition of real property used for a business or farm operation, are required to move their personal property from such other real property.

In addition, relocation advisory assistance will be offered to any person occupying real property immediately adjacent to property being acquired by the Agency, if the Director determines that such person has been caused substantial economic injury as a result of the Agency's acquisition.

The Agency's relocation assistance advisory program is designed to:

1. Fully inform displacees of the availability of relocation payments and assistance and the eligibility requirements.
2. Determine and make timely recommendations on each displaced person's need and preferences, if any, for relocation assistance.
3. Provide current and continuing information on the availability of comparable sales and rental housing and location of comparable commercial properties.
4. Assure that, within a reasonable time period prior to displacement, to the extent that it can be reasonably accomplished, there will be comparable replacement housing sufficient in number to meet the needs of, and available for persons who are to be displaced.
5. Assure that a person shall not be required to move from a dwelling unless the person has had a reasonable

opportunity to relocate to a comparable replacement dwelling, except in the case of a major disaster, a state of emergency declared by the President or Governor, or any other emergency that constitutes a substantial danger to the health or safety of the person.

6. Provide other advisory services, if necessary and reasonably feasible, such as counseling and referrals, with regard to financial, employment, training, health, welfare and other problem areas in order to minimize the hardships of relocation.
7. Assist persons in completing required applications and forms.
8. Supply information concerning other federal and state programs that may be of assistance to those persons in applying for assistance under this program.
9. Inform all persons who are expected to occupy Agency property about rental and property management policies to be used in the Project.
10. Ensure adequate inspection of all relocation replacement housing.

## **5.2 INFORMATIONAL MATERIAL**

The Agency will distribute informational materials (see Appendix A) to every area occupant to be displaced or otherwise affected by the Project. Written information will be given to each owner and occupant of property to be acquired at the time the Agency acquires the property. A notification to occupants as to their eligibility for relocation payments shall be given to each occupant as soon as possible after the Agency's date of initiation of negotiation for the parcel begins. In no event, other than the occurrence of a disaster or a declared state of emergency, shall this information be distributed more than 60 days after the date of initiation of negotiation or less than 90 days from the date of displacement.

Separate informational material (see Appendix A) will be made available to business concerns (including nonprofit organizations) and farms, when appropriate. In addition to distributing written material, the Agency will conduct personal interviews and maintain personal contacts to the extent possible. Informational materials will be written in the language most easily understood by the persons affected. Site



occupants will be informed of Project activities and timing through meetings and other means.

### **5.3 LISTINGS, REFERRALS, AND ASSISTANCE IN OBTAINING HOUSING**

#### ***Listings***

The Agency will provide information to residents on the availability, prices and rental rates of comparable, decent, safe and sanitary housing. The Agency will provide residents to be displaced with listings of available dwelling units of appropriate size to meet their needs and which are within their financial ability to pay. Listings will be available in accordance with Federal Fair Housing Law (Title VIII of the Civil Rights Act of 1968) and other applicable fair housing laws. Listings will be maintained on a continuing basis as derived from frequent reviews of newspaper ads, street searches, contacts with owners, brokers, managers and agents.

#### ***Referrals***

Relocation housing will be inspected prior to being provided as a referral to assure that it meets replacement housing standards. Units to be referred may not be in a neighborhood slated for governmental action, unless that action is related to rehabilitation activities. In no case will referrals be made to housing from which it is reasonably anticipated that the family or individual may again be displaced. In making referrals, the Agency shall give consideration to the proximity of the housing to the displacees' employment or potential employment, including proximity to public transportation and other public facilities essential to successful adjustment. The Agency shall refer all interested persons to local housing authorities and sponsors of assisted housing. When appropriate, staff will assist in filling out appropriate applications for occupancy.

#### ***Assistance in Obtaining Housing***

Families and individuals are encouraged to tell the Agency of problems experienced in obtaining housing or other accommodations. It is the obligation of the Agency to assist in resolving these problems. The Agency has the responsibility to provide prompt information on the availability of housing and to assist displacees in obtaining the units of their choice. The Agency shall provide assistance to prospective homeowners in the form of obtaining mortgage financing, including helping in the preparation and submission of purchase offers, obtaining credit reports and verifying employment and making any other arrangements with lending institutions to facilitate the

obtaining of loans, particularly for minority-group and low-income families and individuals.

#### **5.4 SOCIAL SERVICES**

All displaced families and individuals will be provided with access to social services and counseling, if needed, in order to minimize hardships involved in the relocation process.

#### **5.5 ASSISTANCE TO BUSINESS CONCERNS, NONPROFIT ORGANIZATIONS, AND FARM OPERATIONS**

The Agency will provide relocation advisory assistance to all business concerns, nonprofit organizations and farm operations to be displaced by a Project. The Agency will also provide advisory services and assistance to any business concern or nonprofit organization occupying property which is immediately adjacent to one of the following:

1. The Project Area
2. Any real property acquired when the business is determined to have suffered substantial economic injury as a result of Project activities.

Among the services which the Agency will provide to business concerns, nonprofit organizations and farm operations are the following:

##### ***Consultations***

The Agency will consult with the owner or operator to determine the need for relocation assistance and nature of replacement site requirements and preferences. The consultation will include discussions of such items as space, traffic patterns, market and other requirements and the total number of employees.

##### ***Current Information on Relocation Sites***

The Agency will provide current information on the availability, costs and square footage of comparable locations and make referrals to real estate brokers who may be able to assist in obtaining suitable accommodations.

##### ***Economic Information***

The Agency will provide information relative to property values, growth potentials, and other economic information that

may assist in enabling the business to make informed decisions relative to relocation.

***Referrals to SBA***

Where appropriate, business concerns will be referred to the Small Business Administration (SBA) for managerial, financial and technical assistance.

**5.6 EQUAL OPPORTUNITY**

In carrying out relocation, the Agency shall take affirmative steps in providing displaced families and individuals maximum opportunities in selecting housing. The following are affirmative actions that the Agency may take:

1. Make full use of government housing programs and normal real estate management and brokerage services and supply information concerning other federal and state programs which may be of assistance to those persons applying for assistance under the program.
2. Inform members of minority groups of the opportunities in neighborhoods and provide services necessary to familiarize them with those neighborhoods.
3. Provide escort services to real estate offices in all neighborhoods.
4. Cooperate with all fair housing groups interested in equal opportunities in housing.

**5.7 SELF-RELOCATION AND INSPECTIONS**

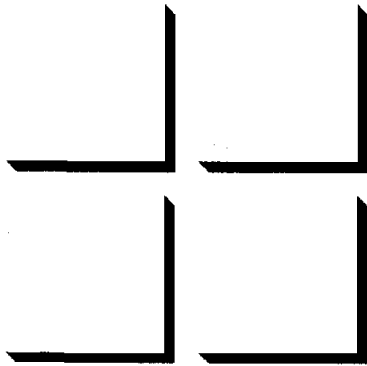
The Agency will make every effort to inspect the dwellings of self-relocated families and individuals prior to their move. When displacees move without notifying the Agency, every reasonable effort will be made to locate the displacee and inspect the replacement dwelling. Upon inspection, if a dwelling is found to be substandard, the Agency must offer assistance in securing standard accommodations. Should the family or individual decline a minimum of three (3) offers of standard dwelling units and its present dwelling unit does not meet standard housing criteria, the Agency shall notify the displacee in writing of the displacee's ineligibility for replacement housing payments.

### **5.8 RELOCATIONS RECORDS**

The Agency will maintain a relocation record, beginning with the information obtained during the first interview, to assess relocation needs. A separate record shall be prepared for each family, each individual maintaining a unit, each business concern, nonprofit organization and farm operation. The record shall contain all data relating to dates and types of services provided, the type and amount of relocation payments made and the location to which those displaced relocated, including a description of the accommodation.

### **5.9 AGENCY EVALUATION**

The Agency will periodically evaluate the relocation program to determine its effectiveness in assisting persons affected by its projects and its conformance to provisions of state and federal laws. Both the quality and quantity of services provided will be considered.



## **6.0 RELOCATION PAYMENTS**

### **6.1 GENERAL**

The Agency will make relocation payments to all eligible families, individuals, businesses, and nonprofit and other institutions displaced by Project activities in accordance with the statutes and regulations governing relocation payments as established by the State of California.

An informational statement (see Appendix A) will notify the site occupant of his or her eligibility for relocation payments and generally instruct the site occupant on procedures for filing claims. Complete rules and regulations will be carefully explained individually to each site occupant and copies of all instructions will be given to him or her. Site occupants may consult with Agency staff whenever problems arise and, through recurring visits, Agency staff will attempt to anticipate problems and plausible solutions.

### **6.2 QUALIFICATIONS AND CONDITIONS FOR PAYMENTS**

The Agency will pay reasonable and necessary moving expenses and/or storage costs; actual direct loss of personal property for which reimbursement or compensation is not otherwise made by the Agency (through purchase, etc.); or a combination of both.

Under certain circumstances as specified in Section 6102 of the California Code of Regulations, Title 25, Chapter 6, some families and individuals may qualify for replacement housing payments, and certain businesses may be eligible for an alternate payment in lieu of moving expenses and certain other expenses. Former owners will be reimbursed for certain

settlement costs and related charges incurred in the sale of property to the Agency.

Eligibility for payments will be based upon the provisions of pertinent sections of the State of California Government Code and Relocation Rules and Regulations as adopted by the Agency.

### **6.3 RESTRICTIONS ON PAYMENT OF RELOCATION CLAIM**

Site occupants who fail to pay rent or who remove, without authorization, fixtures or other items purchased by the Agency, may forfeit their right to all or a portion of the relocation payment.

### **6.4 TIME FOR FILING CLAIMS**

All claims for relocation payments or business displacement payments must be submitted to the Agency within eighteen (18) months after the displacement of the claimant. To the extent that funds are available, persons and families of low and moderate income are entitled to additional payments if their rent, within one year after the rehabilitation of the dwelling unit is completed, is increased to an amount exceeding 30% of the household gross income or such greater percentage as may be permitted by law.

### **6.5 PAYMENT AMOUNTS**

Eligible families and individuals will be given the option to claim one of the following:

1. Reimbursement of their actual and reasonable moving expenses and/or eligible storage costs.
2. A moving expense and dislocation allowance based on a schedule established by the head of the Lead Agency.

In addition, homeowners may be entitled to receive a replacement housing payment up to and not to exceed \$22,500 when purchasing a replacement dwelling, and tenants, including such tenants electing to purchase, and owners electing to rent a replacement dwelling, may be entitled to receive a payment up to and not to exceed \$5,250 toward the rental or purchase of a comparable replacement dwelling.

Eligible business concerns and institutions will be reimbursed for:

1. Actual and reasonable moving costs.
2. Any actual direct loss of personal property.
3. Actual and reasonable expenses in searching for a replacement business, not to exceed \$1,000; or, in lieu thereof, certain businesses may elect to receive an alternate payment of not less than \$1,000 nor more than \$20,000, equivalent to the average annual net earnings of the business and based upon such earnings for the two taxable years immediately preceding the year of displacement.

No temporary on-site moves made for the convenience of the Agency will be chargeable to a site occupant's allowable relocation payment.

## **6.6 FILING CLAIMS**

All claims for relocation payments must be submitted on forms which will be provided by the Agency.

Special Conditions for Business Concerns:

1. A business concern must give the Agency at least thirty (30) days, but not more than ninety (90) days, written notice of its intention to move and must permit the Agency, at all reasonable times, to inspect the personal property to be moved.
2. Claims for relocation payments must be supported by two moving expense bids from reputable moving firms and, to the extent required, other contractors. A relocation payment covering moving expenses may not exceed the lowest bid. If a business concern estimates that its moving expenses will be \$500 or less, bids will not be required; however, the maximum payment in such cases will be \$500.
3. Self-moves for businesses will be allowed.

## **6.7 DOCUMENTING CLAIMS**

A claim must be supported by the following:

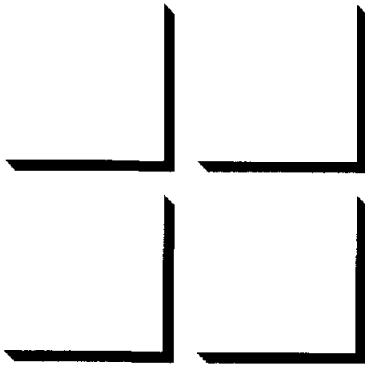
1. If for moving expenses, except in the case of a fixed payment, an itemized receipted bill or other evidence of expense.
2. If for actual direct loss of personal property, written evidence thereof, which may include appraisals, certified prices, copies of bills of sale, receipts, canceled checks, copies of advertisements, offers to sell, auction records and

such other records as may be appropriate to support the claim.

3. Documentation may be required by the Agency and may include income tax returns, withholding or informational statements and proof of age.

All claim papers and related evidence will become permanent records in the Agency's files. The reason for disallowing any portion of a claim will be stated in writing to the claimant.





## **7.0 ASSISTANCE TO BUSINESSES AND OTHERS**

### **7.1 INDIVIDUALS**

All services to be offered displaced families will be equally available to individuals occupying separate housekeeping or non-housekeeping accommodations.

### **7.2 OTHERS**

The Agency will cooperate fully with an owner of any property in the Project Area which is not proposed to be acquired by the Agency but which must be vacated in order for the owner to participate in the redevelopment program. If the owner and/or tenants are so vacated, then all of the Agency's relocation services will be offered to them.

### **7.3 BUSINESSES AND INSTITUTIONS**

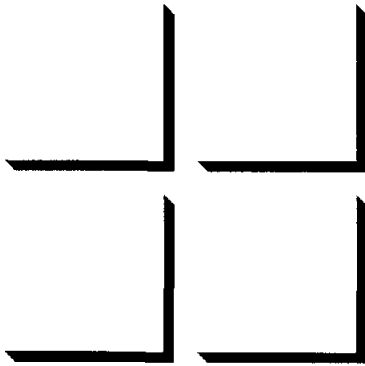
Businesses and institutional site occupants will be individually interviewed to determine their relocation needs and preferences, provided general and special informational material, assisted in preparing relocation claims, helped in finding other suitable locations within or outside the Project Area and referred to other groups or agencies for assistance in completing a satisfactory relocation.

As the situation requires, the relocation staff will refer these site occupants to, and maintain liaison between, the Small Business Administration, trade associations, Chambers of Commerce, lending institutions, real estate agencies, brokers and multiple listing realty councils in order that they may be assisted on a nondiscriminatory basis in obtaining suitable

relocation premises, financial help and guidance in re-establishing their operations.

The Office of the Small Business Administration, and the Redevelopment Agency will be made aware of the Project and will work closely with the Agency and commercial site occupants in extending their assistance. Information about these two agencies will be available from the relocation staff, and referrals to them and to others who can assist commercial displacees will be made with the same consistency and comprehensiveness as referrals of residents to social service agencies.

As required or necessary, the Agency will provide special staff and consulting services to effectively assist this group in carrying out their goals.



## **8.0 NOTICES TO VACATE**

### **8.1 GENERAL POLICY**

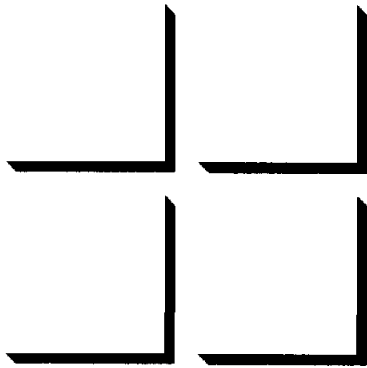
No person lawfully occupying real property acquired by the Agency shall be required to move from a dwelling, assuming a replacement dwelling will be available, or to move his or her business or farm, without at least ninety (90) days' written notice from the Agency of the date by which such move is required, except in unusual emergency situations or where the public health and safety require immediate possession. No person lawfully occupying real property shall be required to vacate a dwelling unless comparable decent, safe and sanitary replacement housing is available, except in public health and safety emergencies. All notices shall be given in accordance with the law.

Displacees will be informed by Agency staff of their right to appeal regarding relocation decisions that are made. Any person aggrieved by a determination as to eligibility for, or the amount of, a relocation payment may have his or her claim reviewed in accordance with the procedures described in Section 9.0 herein.

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## **9.0 GRIEVANCE PROCEDURE**

### **9.1 REQUEST FOR REVIEW BY CLAIMANT**

Such person shall request in writing that the Director, or the Director's designee, review the matter with the person making the request. The Director shall notify such person in writing of the decision after reviewing and considering all reasonably available evidence.

### **9.2 REVIEW BY THE RELOCATION APPEALS BOARD**

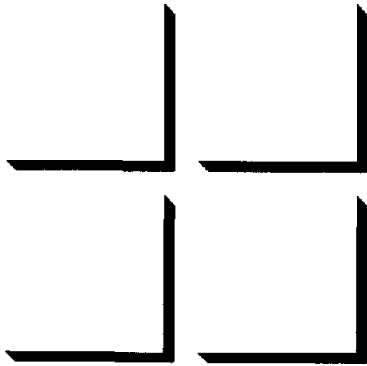
After review of the matter by the Director, or the Director's designee, and receipt of the Director's decision or, in the event such person has not received notification of the Director's decision within thirty (30) days after filing the initial request for review, the person may file the complaint in writing with the Agency's Relocation Appeals Board, which will be appointed by the Chairman of the Board of Supervisors in accordance with Section 33417.5 of the Health and Safety Code. Such Relocation Appeals Board shall notify the claimant of a hearing date within 15 days, and shall then proceed to hear all such complaints pursuant to the provisions of the relocation program providing for relocation assistance and administration of claims as outlined in this Relocation Method. The Relocation Appeals Board shall, within 60 days following the public hearing on the matter, make its findings and recommendations on the matter, and shall promptly transmit the same in writing to the Agency and to the claimant.

### **9.3 REVIEW BY THE AGENCY**

Any person who believes himself/herself to be aggrieved by any findings and recommendations of the Relocation Appeals Board

may, within five days after notice of such ruling or act, as herein above provided, appeal to the Board of Supervisors or Agency Board by filing with the Director a written statement of the rulings or acts complained of and the reasons for taking such appeal. The Director shall thereupon refer such appeal to the Agency Board at its next regular meeting, and the Board shall thereupon fix a time for the hearing of said matter, which time shall be not less than thirty days from the time said appeal is presented to the Agency Board by the Director. On the date thus fixed, or on the date to which said hearing shall have been continued, the Agency Board shall proceed to hear and consider the evidence relating to said matter and shall make and enter on its minutes its final determination therein. The Agency Board may confirm, modify or set aside the findings of the Relocation Appeals Board, and its determination in the matter shall be final and conclusive. No proceeding or action to review or enjoin the enforcement of its determination or orders of the Agency Board made pursuant hereto, or to recover damages for carrying out such orders in a lawful and reasonable manner, shall lie unless such action is commenced within ninety days (90) from and after service of notice of the findings and determination of the Agency Board. Notice of the determination of the Agency Board shall be served by the Director upon the person, or persons making the. The effect of any order from which an appeal is taken as herein provided shall be suspended and of no force or effect until such appeal is fully determined.

The claimant shall be deemed to have exhausted his/her administrative remedies upon the Agency taking action upon his/her complaint.



## **10.0 ADDITIONAL RELOCATION REQUIREMENTS**

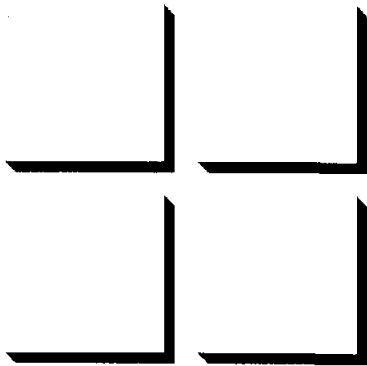
In conducting relocation activities, the Agency shall also follow and comply with all such requirements and restrictions prescribed including those set forth in Government Code Section 7260 et seq.

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## **APPENDIX A**

### **MINIMUM CONTENTS OF INFORMATIONAL STATEMENT(S)**

#### **ITEMS TO BE INCLUDED**

1. General description of the nature and types of activities that will be undertaken, including an identification of areas which may involve displacement. A diagrammatic sketch of the Project Area should be attached.
2. Statement that public action may result in displacement, but that no one lawfully occupying property will be required to surrender possession without at least ninety (90) days' written notice from the public entity, and no one will be required to move until ninety (90) days after the provision of information.
3. Statement and assurance that families and individuals will not be required to move before reasonable offers of decent, safe, sanitary and otherwise comparable housing within their financial means have been made, except for the causes set forth in the local agency's eviction policy and that persons and families of low or moderate income shall not be displaced until there is a suitable housing unit available and ready for occupancy by such person at a rent comparable to that being paid at the time of displacement.
4. General description of types of relocation payments available including general eligibility criteria and a caution against premature moves that might result in loss of eligibility for a payment.

5. Identification of the Agency's relocation program and a description of the relocation services and aids that will be available.
6. Encouragement to visit the Agency's relocation office and cooperate with the staff. The address, telephone number and hours of the relocation office should be specified.
7. Information on replacement housing, including:
  - Brief description of what constitutes comparable replacement housing, including physical standards.
  - A layperson's description of Federal Fair Housing Law (Title VIII of Civil Rights Act of 1968), and applicable state and local fair housing laws, as well as rights under Title IV of the Civil Rights Act of 1964.
  - Statement that the public entity (or its agent) will identify comparable replacement dwellings within the financial means of and otherwise available to displaced persons and will provide assistance to persons in obtaining housing of their choice, including assistance in the referral of complaints of discrimination to the appropriate federal, state or local fair housing enforcement agency.
  - Statement that persons may seek their own housing accommodations and urging them, if they do so, to notify the relocation office prior to making a commitment to purchase or occupy the property.
  - Statement that persons may be relocated to adequate temporary housing for a period not to exceed twelve months.
8. Statement that the public entity will provide maximum assistance in locating relocation accommodations, including consultation with the Small Business Administration and other governmental agencies which might be of assistance.
9. Statement describing requirement for prior notification to the Agency of the business concern's intention to move.
10. Summary of the local agency's eviction policy.
11. Statement describing the Agency's grievance procedure, its purpose and how it may be used.