

ORDINANCE NO. 17-10 N.S.

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

The City Council of the City of Richmond does ordain as follows:

Section 1. Recitals and Background Information.

Pursuant to the California Community Redevelopment Law (Health & Safety Code Section 33000 *et seq.*) (the "Redevelopment Law"), the Richmond Community Redevelopment Agency (the "Agency") has now prepared and submitted to the City Council (the "City Council") of the City of Richmond (the "City") for review and adoption the Amended and Restated Redevelopment Plan for the Richmond Merged Redevelopment Project Area (the "Amended Plan"), which amends, restates, and consolidates into a single plan document, in their entirety nine redevelopment plans (collectively, the "Constituent Redevelopment Plan") previously adopted and amended by the City Council with respect to the nine redevelopment project areas (collectively, the "Constituent Project Areas") that together comprise the Richmond Merged Redevelopment Project Area (the "Merged Project Area"). The Amended Plan consists of thirty six (36) pages and three (3) exhibits. A copy of the Amended Plan is on file with the City Clerk of the City (the "City Clerk"), and is incorporated in this Ordinance by this reference.

a. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area 1-A (Eastshore Park) (the "Eastshore Park Plan"), establishing the Eastshore Park Project Area, by City Council Ordinance No. 1560 on August 26, 1957, as amended by Ordinance No. 1710, adopted on May 8, 1961, as amended by Ordinance No. 5-70, adopted on July 27, 1970, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 24-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

b. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 1-C (Potrero) (the "Potrero Plan"), establishing the Potrero Project Area, by City Council Ordinance No. 1654 on April 4, 1960, as amended by Ordinance No. 35, adopted on February 24, 1964, as amended by Ordinance No. 107, adopted on May 24, 1965, as amended by Ordinance No. 196, adopted on January 3, 1967, as amended by Ordinance No. 41-77, adopted on December 5, 1977, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as further amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 25-99 N.S., adopted on July 13, 1999, as further amended by

Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

c. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 3-A (Galvin Industrial Park) (the "Galvin Plan"), establishing the Galvin Project Area, by City Council Ordinance No. 1464, adopted on February 28, 1955, as amended by Ordinance No. 1658, adopted on April 25, 1960, as amended by Ordinance No. 1698, adopted on January 9, 1961, as amended by Ordinance No. 59, adopted on August 31, 1964, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 26-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

d. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 6-A (Harbor Gate) (the "Harbor Gate Plan"), establishing the Harbor Gate Project Area, by City Council Ordinance No. 1453, adopted on November 8, 1954, as amended by Ordinance No. 1553, adopted on December 3, 1956, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 26-95, adopted on June 26, 1995, as amended by Ordinance No. 27-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

e. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 8-A (Hensley Industrial District) (the "Hensley Plan"), establishing the Hensley Project Area, by City Council Ordinance No. 1648 on February 29, 1960, as amended by Ordinance No. 24, adopted on November 12, 1963, as amended by Ordinance No. 108, adopted on May 24, 1965, as amended by Ordinance No. 231, adopted on October 9, 1967, as amended by Ordinance No. 41-74, adopted on September 16, 1974, as amended by Ordinance No. 11-80, adopted on March 31, 1980, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 28-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

f. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 10-A (Downtown) (the "Downtown Plan"), establishing the Downtown Project Area, by City Council Ordinance No. 169, adopted on May

23, 1966, as amended by Ordinance No. 221, adopted on July 17, 1967, as amended by Ordinance No. 20-70, adopted on November 23, 1970, as amended by Ordinance No. 34-72, adopted on September 18, 1972, as amended by Ordinance No. 25-73, adopted on November 12, 1973, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 40-87, adopted on September 28, 1987, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 29-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

g. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 10-B (Nevin) (the "Nevin Plan"), establishing the Nevin Project Area, by City Council Ordinance No. 35-72, adopted on September 18, 1972, as amended by Ordinance No. 13-73, adopted on July 9, 1973, as amended by Ordinance No. 40-74, adopted on September 16, 1974, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 30-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 29-05 N.S., adopted on July 12, 2005, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

h. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 11-A (Harbour) (the "Harbour Plan"), establishing the Harbour Project Area, by City Council Ordinance No. 10-75, adopted on June 9, 1975, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 27-91, adopted on September 28, 1991, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 6-98 N.S., adopted on January 27, 1998, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, as amended by Ordinance No. 31-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S., adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

i. Pursuant to the Redevelopment Law, the City Council adopted the Redevelopment Plan for Project Area No. 12-A (North Richmond) (the "North Richmond Plan"), establishing the North Richmond Project Area, by City Council Ordinance No. 36-72 on September 18, 1972, as amended by Ordinance No. 14-73, adopted on July 9, 1973, as amended by Ordinance No. 64-86, adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S., adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S., adopted on April 20, 1999, and as amended by Ordinance No. 32-99 N.S., adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S., adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S., adopted on July 27, 2004, as amended by Ordinance No. 15-07 N.S.,

adopted on May 29, 2007, and as further amended by Ordinance No. 19-07 N.S., adopted on June 19, 2007.

j. Among other matters, the Amended Plan a) increases the limit on the amount of tax increment revenue that the Agency may claim from the portions of the Merged Project Area subject to the current limit of \$521.4 million to the revised limit of \$1.06 billion; b) increases the limit on the principal amount of bonded indebtedness secured by tax increment revenue that may be outstanding at any time from the current 2005 added area limit of the Nevin Project Area of \$150 million and the current limit of \$250 million on the remaining Merged Project Area to a revised combined limit of \$1.61 billion; c) extends the time limit for eminent domain authority over non-residential and non-occupied residential properties for up to 12 years, but no longer than the plan effectiveness limit for the applicable Constituent Project Areas within the Merged Project Area, except for the Galvin Project Area; d) amends, restates, and consolidates the redevelopment plans for the nine Constituent Project Areas within the Merged Project Area into a single consolidated redevelopment plan for the Richmond Merged Redevelopment Project Area, which incorporates the applicable provisions from each of the current Constituent Redevelopment Plans; and e) updates various text provisions from the Constituent Redevelopment Plans to conform to the current requirements of the Redevelopment Law. The Amended Plan does not add territory to the Merged Project Area.

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

l. The Merged Project Area is situated in the City of Richmond, County of Contra Costa, State of California, and is more particularly described in Exhibit B of the Amended Plan, and is incorporated herein by this reference.

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

n. The Planning Commission of the City of Richmond, which is the duly designated and acting official planning body of the City, has submitted to the City Council its report and recommendation for approval and adoption of the Amended Plan and has certified that the Amended Plan conforms to the General Plan.

o. The Amended Plan incorporates the land uses for the Merged Project Area which are determined by the City's General Plan. Implementation of the Amended Plan may

require, among other things, the vacating and removal of streets of record and other public rights of way, the establishment of new street patterns, and the location of sewers, water mains, lighting and utility lines and other public facilities.

p. The Agency has prepared and submitted and the City Council has reviewed and considered the Report to Council on the Redevelopment Plan Amendment (the "Report to Council") pursuant to Health and Safety Code Sections 33333.2(a)(4), 33352, 33354.6(b) and 33347.1, a copy of which is on file with the City Clerk. The Report to Council has also served as the report to the California Department of Finance and the California Department and Housing and Community Development (together, the "State Departments") required pursuant to Section 33451.5(c) of the Redevelopment Law. In accordance with Section 33451.5(c) of the Redevelopment Law, the Agency transmitted a copy of the Report to Council to the State Departments.

q. On December 15, 2009, the Agency adopted an Implementation Plan for the Merged Project Area for the period from July 1, 2009 through June 30, 2014 (the "Implementation Plan") in accordance with Sections 33451.5(c)(7) and 33490 of the Redevelopment Law. The Implementation Plan is incorporated as Appendix G to the Report to Council.

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

s. On April 6, 2010, the City Council and the Agency conducted a joint public hearing (the "Joint Public Hearing") on the Amended Plan and accompanying documents, which was duly noticed in accordance with the requirements of the Redevelopment Law as follows:

1. A notice of the Joint Public Hearing was duly and regularly published in a newspaper of general circulation in the City of Richmond, once a week for four successive weeks prior to the date of the Joint Public Hearing, and a copy of that notice and affidavit of publication are on file with the City Clerk and the Agency;

2. Copies of the notice of Joint Public Hearing were mailed by first-class mail to the last known address of each assessee of each parcel of land in the Merged Project Area, as shown on the last equalized assessment roll of the County of Contra Costa;

3. Copies of the notice of Joint Public Hearing were mailed by first-class mail to all residential and business occupants within the Merged Project Area;

4. Copies of the notice of Joint Public Hearing were mailed by certified mail with return receipt requested to the governing body of each taxing entity which levies taxes upon any property in the Merged Project Area; and

5. A letter indicating the date, time and place for the Joint Public Hearing was mailed to the State Departments in compliance with Section 33451.5(b) of the Redevelopment Law.

t. The City and Agency staff have prepared and submitted to the City Council for review a Final Environmental Impact Report (the "EIR") for the Amended Plan which was prepared pursuant to the California Environmental Quality Act of 1970, as amended ("CEQA"), the Official State Guidelines as amended for the implementation of CEQA (the "State EIR Guidelines"), and the City and Agency local guidelines for administering CEQA (the "Local Guidelines"). The EIR was certified by the City Council and Agency on April 20, 2010. A copy of the EIR is on file with the City Clerk.

u. By resolution adopted on April 20, 2010, the City Council and Agency adopted mitigation measures and made certain findings and statements in compliance with Sections 15091, 15092, 15093 and 15168 of the EIR Guidelines.

v. At or prior to the joint public hearing on the Amended Plan held on April 6, 2010, the City Council and the Agency received certain written objections to the Amended Plan. The City Council has considered the report and recommendations of the Planning Commission, consultations with Project Area owners, residents, business concerns, community organizations, affected taxing agencies and others, the Report to Council, the Amended Plan, and the EIR; has provided an opportunity for all persons to be heard; and has received and considered all evidence presented for or against any and all aspects of the Amended Plan. By City Council resolution adopted on April 20, 2010, prior to the introduction of this Ordinance and pursuant to Health & Safety Code Section 33363, the City Council adopted its written responses and findings (the "Findings") to all written objections to the Amended Plan it received prior to the close of the joint public hearing on the Amended Plan.

Section 2. Findings and Determinations. In accordance with Health and Safety Code Sections 33333.2(a)(4), 33354.6(b), 33367 and 33457.1, and based upon the evidence contained in the Report to Council, the EIR, the Findings, the staff report accompanying this Ordinance and other documents prepared in the Amended Plan adoption process, and on evidence presented at the public hearing, it is hereby found and determined that:

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

b. Pursuant to Section 33354.6 of the Redevelopment Law, significant blight remains in the Merged Project Area and the remaining blight in the Merged Project Area cannot be eliminated without the establishment of additional debt and the increase in the limitation on the number of dollars to be allocated from the Merged Project Area to the Agency (see particularly Parts I, II, III, IV and XIV of the Report to Council regarding evidence with respect to this finding).

c. Pursuant to Section 33333.2(a)(4) of the Redevelopment Law and based on substantial evidence contained in the Report to Council, significant blight remains in the Merged Project Area which cannot be eliminated without the use of eminent domain and the extension of

the time limits with regard to the Agency's eminent domain authority as set forth in the Amended Plan (see particularly Parts I, II, III, IV and XIV of the Report to Council regarding evidence with respect to this finding).

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

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

f. The Amended Plan would redevelop the Merged Project Area in conformity with the Redevelopment Law and would be in the interest of the public peace, health, safety, and welfare; and the implementation of the Amended Plan would promote the public peace, health, safety and welfare of the City and the Richmond community, and would effectuate the purposes and policy of the Redevelopment Law (see particularly Parts I, II, III, IV, XIII and XIV of the Report to Council regarding evidence with respect to this finding).

g. The Amended Plan conforms to the City of Richmond General Plan including, but not limited to, the Housing Element of the General Plan, which Housing Element substantially complies with the requirements of Article 10.6 (commencing with Section 65580 of Part 3 of Division 1 of Title 7 of the Government Code) (see particularly Part IV of the Amended Plan, Parts I and III of the Report to Council and the Planning Commission Report and Recommendation dated March 4, 2010, regarding evidence with respect to this finding).

h. The adoption and implementation of the Amended Plan is economically sound and feasible (see particularly Parts III, IV and XIV of the Report to Council regarding evidence with respect to this finding).

i. The Amended Plan will afford maximum opportunity, consistent with the sound needs of the City, as a whole, for the redevelopment of the Merged Project Area by private enterprise (see particularly Parts II, III, IV and XIV of the Report to Council and the Agency's adopted Amended Rules for Owner Participation and Business Tenant Preference regarding evidence with respect to this finding).

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

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

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

m. The implementation of the Amended Plan will improve or alleviate physical and economic conditions of blight in the Amended Project Area (see particularly Parts I, II, III, IV, XIII and XIV of the Report to Council regarding evidence with respect to this finding).

n. The elimination of blight and the redevelopment of the Merged Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency (see particularly Parts I, II, III, IV and XIV of the Report to Council regarding evidence with the respect to this finding).

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

any proceedings necessary to be implemented by the community under the provisions of the Amended Plan.

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

q. The matters set forth in Health and Safety Code Section 33367(d)(9), (d)(10), and (d)(12) are not applicable to or affected by the Amended Plan, since territory is not being added to the Merged Project Area by the Amended Plan, and consequently no further findings with respect to such matters are required pursuant to Health and Safety Code Section 33457.1.

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

Section 4. Approval of Redevelopment Plan. It is hereby found that the amendments to the redevelopment plans for each of the Constituent Project Areas embodied in the Amended Plan are necessary and desirable. The redevelopment plans for each of the Constituent Project Areas and all the ordinances set forth in subsections a through i of Section 1 of this Ordinance are hereby amended in accordance with the amendments contained in the Amended Plan. The Amended Plan for the Merged Project Area, having been duly received and considered, is approved and adopted, and the City Clerk is hereby directed to file a copy of the Amended Plan with the minutes of this meeting. The Amended Plan, which contains, among other elements, the statement of the purpose and intent of the City Council with respect to the Merged Project Area, is incorporated in this Ordinance by reference. The Amended Plan is hereby designated as the official Redevelopment Plan for the Merged Project Area. It is the purpose and intent of this City Council that the Amended Plan be implemented in the Merged Project Area. A copy of this Ordinance shall be transmitted to the Agency and the Agency is vested with the responsibility of implementing the Amended Plan.

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

- a. Eliminate the conditions of blight in the Merged Project Area;
- b. Ensure, as far as possible, that the causes of the blighting conditions will be either eliminated or protected against;

c. Encourage and ensure the appropriate development of the Merged Project Area; and

d. Encourage and foster the economic revitalization of the Merged Project Area and the provision of affordable housing in the Merged Project Area and other areas of the City.

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

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

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

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

First introduced at a regular meeting of the City Council of the City of Richmond held on April 6, 2010, and finally passed and adopted at a regular meeting held on May 4, 2010, by the following vote:

AYES: Councilmembers Butt, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmembers Bates and Lopez.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 17-10 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting on May 4, 2010.