

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 1-97

A RESOLUTION APPROVING ALLOCATION OF \$27,000.00 IN REDEVELOPMENT AGENCY HOUSING SET-ASIDE FUNDING TO HABITAT FOR HUMANITY, STANISLAUS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE LOAN AGREEMENTS WHEN PREPARED

WHEREAS, the Modesto City Council has made a commitment to the production of affordable housing as delineated in the Housing Element, the Consolidated Plan, and the Modesto Redevelopment Agency's Implementation Plan, and

WHEREAS, pursuant to Resolution No. 6-96, adopted by the Modesto Redevelopment Agency ("Agency") on March 12, 1996, the Agency approved reallocation of \$400,000.00 in redevelopment agency housing set-aside funding for affordable housing, of which \$103,000.00 was approved for funding to Habitat for Humanity, Stanislaus ("Habitat") to assist in acquiring vacant residential property for the construction of affordable housing, and

WHEREAS, at a special meeting held on May 31, 1996, the Citizen's Redevelopment Advisory Commission Housing Committee agreed to approve Habitat's proposal to acquire Wyldewood subdivision to develop affordable single-family homes with Habitat's allocation of \$103,000.00 to be redistributed into six (6) Habitat assisted homes, and

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the additional allocation of

\$27,000.00, to Habitat is approved and Alternate 2 of Habitat's specifications and conditions of paragraph 1 as well as Habitat's specifications and conditions of paragraphs 2, 3, 4 and 5 of Habitat's Proposal to Westridge residents and the Redevelopment Agency of the City of Modesto for the Development of Wyldewood Village, CA., marked EXHIBIT A, a copy of which is attached hereto and incorporated herein by reference, are hereby accepted.

BE IT FURTHER RESOLVED by the Redevelopment Agency of the City of Modesto that the executive director is hereby authorized to execute agreements and loan documents when prepared.

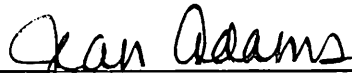
The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 4th day of February, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Chairman Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Friedman, Serpa, Chairman Lang

NOES: Agency Members: Dobbs, Fisher, McClanahan

ABSENT: Agency Members: None

ATTEST:



JEAN ADAMS, Secretary

Proposal to Westridge residents and the Redevelopment Agency of the City of Modesto for the Development of Wyldewood Village, CA.

Habitat for Humanity Stanislaus (HFHS) and James Peter Feeney (JPF) propose the following specifications and conditions for the development of Wyldewood Village.

1. Habitat will build on 6 lots and JPF will build on 8 lots.

Alternate 1: These lots will be intermixed throughout the subdivision with 3 Habitat homes being built along Rosemore Avenue and 3 along Dan West Court. This is the preferred strategy of both HFHS and JPF because it will produce a better balanced project across the subdivision.

Alternate 2: HFHS will build on Dan West Court while JPF will build on Lots 1-7 along Rosemore Avenue and one other lot. Because Lot 6 on Rosemore Avenue displays MID equipment that might impact JPF's ability to sell that home, JPF reserves the right to not build here. In this case, HFHS will build on Lot 6 and JPF will build on a lot along Dan West Court.

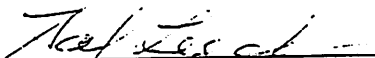
2. House plans will be developed with home sizes from between 1,050 SF and 1,450 SF, but at the option of JPF, larger homes may be included. HFHS and JPF will both build homes from these floor plans and to a consistent style and set of exterior specifications. Habitat will make every effort to build at least two of their homes at 1,200 SF.


3. Homes to include a minimum of attached two car garages.

4. The following exterior finishes will apply:

- A. A combination of stucco and wood exterior;
- B. A minimum of approximately a 6/12 roof pitch;
- C. Concrete tile roofs;
- D. Consistency in style, colors, front landscaping, and fencing.

5. The same CC&R's will be placed on all homes in the entire Wyldewood Village Subdivision, incorporating the items listed in Nos. 3 and 4 above. Individual lots may be sold to individual buyers, but all will be bound by the same CC&R's.

Signed:  Date: 2-4-97
Hal Leech, President HFHS Board of Directors

 Date: 2-4-97
James Peter Feeney

A RESOLUTION AMENDING THE REDEVELOPMENT AGENCY BUDGET OF THE CITY OF MODESTO FOR MID-YEAR OF FISCAL YEAR 1996-97 AND RE-ESTIMATING REVENUE FOR FY 1996-97

WHEREAS, the mid-year financial analysis has been completed and it has been determined that certain adjustments are required to the Redevelopment Budget of the City of Modesto for the Fiscal Year 1996-97;

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the 1996-97 Annual Budget is hereby amended as indicated on Attachment "A".

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the day of February 11, 1997 by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Cogdill, was upon roll call carried and the resolution adopted by the following votes:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher and McClanahan

ATTEST:



JEAN ADAMS, City Clerk

(seal)

APPROVED AS TO SUFFICIENCY:

By:



STAN FEATHERS, Budget Officer

**Redevelopment Agency
Budget Adjustment Detail**

Type of Account	Description	Fund	Agency	Orgn	Objt/ Revenue	Current Budget	Adjustment Amount	Revised Budget
Revenue	Tax Increment	907	140	1492	1101	291,000	(50,000)	241,000
Appropriation	Contingency Reserve	907	800	8000	8003	337,597	(50,000)	287,597

This is to reconcile to the tax increment estimate received from Keyser Marston & Associates.

Appropriation	Transfer Out	902	700	7000	7907	0	538,662	538,662
Appropriation	Contingency Reserve	902	800	8000	8003	538,662	(538,662)	0
Appropriation	Covell & Hughson Hotels	907	140	H823	6030	226,000	541,000	767,000
Revenue	Transfer In	907	700	7000	9902	0	538,662	538,662
Appropriation	Contingency Reserve	907	800	8000	8003	287,597	(2,338)	285,259

This adjustment is to appropriate the acquisition costs for the Hotels Hughson and Covell.
Special Fund for Capital Outlay.

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 3-97

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH MARY L. SALETTA, EXECUTRIX OF THE ESTATE OF JOSEPH A. SALETTA, REGARDING THE ACQUISITION OF PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to the agreement with Mary L. Saletta, executrix of the estate of Joseph A. Saletta, regarding the acquisition of property needed for the Plaza Project, be and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to the agreement by the designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of March, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairperson
Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 4-97

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH GEORGE KOUNIAS, JR.
REGARDING THE ACQUISITION OF PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to the agreement with George Kounias, Jr. regarding the acquisition of property needed for the Plaza Project, be and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to the agreement by the designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of March, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman, Serpa, Chairperson Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 5-97

A RESOLUTION REVISING THE CITY'S DOWN PAYMENT ASSISTANCE PROGRAM TO ALLOW REDEVELOPMENT AGENCY HOUSING SET-ASIDE FUNDS TO BE USED TO ASSIST ELIGIBLE HOMEBUYERS TO PURCHASE EXISTING HOMES BY PROVIDING FINANCIAL ASSISTANCE TOWARD DOWN PAYMENT AND CLOSING COSTS.

WHEREAS, since June 1995, the City and its Redevelopment Agency have been operating a Down Payment Assistance Program (DPAP) to help low and moderate income families purchase new homes in Modesto, and

WHEREAS, homebuyers are assisted through a deferred-payment loan funded by HOME, Community Development Block Grant, or the Redevelopment Agency Housing set-aside funds, and

WHEREAS, currently, DPAP funds can only be used to assist with new home purchases and existing homes cannot be assisted through the program, and

WHEREAS, when the program began, it was with the intent to help stimulate the local economy by supporting new construction, and

WHEREAS, staff is now requesting that the program be expanded to allow homebuyers to purchase existing and new homes through the program, and

WHEREAS, Federal funding requires inspection and lead-based paint testing for existing homes, and funding with HOME funds must meet federal housing quality standards, but there is no inspection requirement for units assisted with CDBG or

Redevelopment Agency funds, and

WHEREAS, HOME requires lead-based paint testing and abatement for homes built before 1978, and CDBG requires that purchasers of homes built before 1978 be notified of the potential existence, hazards, precautions, and treatment of lead-based paint poisoning, and also be advised of screening tests available for children under seven years of age, and of the appropriate abatement measure that must be taken should lead-based paint be found, and

WHEREAS, State Redevelopment law does not require lead-based paint testing, but the Agency has elected to test for lead-based paint if the assisted unit was built before 1978, and

WHEREAS, at the Community Development and Housing Committee meeting on March 12, 1997, City staff recommended inspection and testing requirements for existing homes, should the program be expanded, with the inspection to be conducted by Housing & Neighborhoods staff or contracted out to qualified housing inspectors at a charge of \$100 per inspection to be paid out the escrow, and

WHEREAS, the Redevelopment Agency of the City of Modesto has resolved that providing down payment assistance to help low and moderate income families to purchase either new or existing homes is a high priority for the City,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the City's Down Payment

Assistance Program is hereby revised to allow Redevelopment Agency Housing set-aside funds to assist low and moderate income families to purchase either new or existing homes.

BE IT FURTHER RESOLVED that homes built before 1978 will be tested for lead-based paint, homebuyers will be notified of the potential existence, hazards, precautions, and treatment of lead-based paint poisoning and of screening tests available for children under seven years of age, and of appropriate abatement measures should lead-based paint be found, and that no DPAP loan shall be made to the homebuyer until such time as the Redevelopment Agency is satisfied that the lead-based paint has been properly abated.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of March, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: None

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By

Michael D. Milich
MICHAEL D. MILICH, General Counsel

**MODESTO REDEVELOPMENT AGENCY
DOWN PAYMENT ASSISTANCE PROGRAM**

PROGRAM GUIDELINES

A. INTRODUCTION

The City of Modesto and the Modesto Redevelopment Agency offers a Down Payment Assistance Program (DPAP) to assist low and moderate income families purchase a home. Eligible homes are new and existing homes located within Modesto's city limits. The program helps homebuyers by providing financial assistance toward downpayment and closing costs. It is designed for families that have adequate incomes to afford monthly mortgage payments, but have not been able to save enough money for the downpayment. Eligible participants do not have to be first-time homebuyers. The program is funded by the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) program, and the Redevelopment Agency housing set-aside Fund. The City believes that affordable homeownership opportunities can provide the foundation whereby individual families, and entire neighborhoods, can achieve a sense of stability and community pride.

For more information about the Down Payment Assistance Program contact the City of Modesto, Office of Housing & Neighborhoods, 940 Eleventh Street, Modesto, CA 95354. Phone No: (209)577-5247; Fax No: (209) 544-3982.

B. MAXIMUM LOAN AMOUNT

There is no application fee to apply for a DPAP loan. The maximum loan for each household is determined as follows: For households earning up to 80% of area median income (AMI), the maximum loan is \$7,500. For households earning between 80% and 120% of AMI, the maximum loan is \$5,000. The current income eligibility limits are:

Household Size:	Low Income 80% AMI	Moderate Income 120% AMI
1 person	\$22,950	\$34,450
2 person	\$26,250	\$39,350
3 person	\$29,500	\$44,300
4 person	\$32,800	\$49,200
5 person	\$35,400	\$53,150
6 person	\$38,050	\$57,050
7 person	\$40,650	\$61,000
8 person	\$43,300	\$64,950

C. DOWN PAYMENT REQUIREMENTS
Homebuyers must provide a downpayment, from their own funds, to participate in the program. Households earning up to 80% of AMI are required to provide a 1% down payment, and households earning between 80% and 120% of AMI are required to provide a 3% down payment. See income chart above.

D. INTEREST RATE AND DEFERRED LOAN REPAYMENT TERMS

The DPAP loan accrues interest at 5% per year and will be charged on the unpaid balance until the full loan amount has been repaid. No payments are required on the DPAP loan for the first five years, and no interest accrues during the deferral period. Monthly payments (principal and interest) begin in year six. The loan is repaid over a 15-year period (year six through year twenty) for households earning up to 80% of AMI. Households earning between 80% and 120% of AMI are required to repay the loan over a 10-year period (year six through year fifteen).

Other repayment provisions include the following:

1. The total amount of the deferred loan plus accrued interest becomes due and payable at the time of sale or transfer of ownership, refinancing of the property, upon death of owners(s), or upon change of use of the property.
2. No Prepayment Penalty. There is no charge or penalty for making full or partial payments on the loan.
3. The deferred DPAP loan is generally not assumable. However, if the subsequent purchaser of the home is otherwise eligible for the Down Payment Assistance Program, the applicant may apply to the City for a waiver of the non-assumption feature of the loan. All proceeds from the payoff of the loan shall roll over into a revolving loan fund that will be used to assist other low and moderate income home buyers with the purchase of a home.

E. SILENT SUBORDINATE MORTGAGE

The DPAP loan is a silent, subordinate mortgage secured by a promissory note and City or Agency trust deed, and is recorded junior to the primary mortgage.

F. BORROWER ELIGIBILITY REQUIREMENTS

Eligible borrowers must meet the following eligibility criteria in order to participate:

1. Borrower must qualify as a low or moderate income household. To qualify under this criteria, borrowers must be households whose total annual income does not exceed 120 percent of the area median income (adjusted for family size) for Modesto at the time the household initially occupies the property, or at the time the City or Agency funds are invested, whichever is later (See income limits above). HOME and CDBG funds can be used to assist households at or below 80% of AMI, while Agency funds can assist households earning up to 120% of AMI. Section 8 income guidelines will be used to determine annual income, which is defined as the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period (See Determining Annual Income at Exhibit 1). Income

~~recertification will be required if more than 180 days have elapsed from the date of the original certification and the date of loan closing or occupancy of the property. It is required that the property be occupied within 60 days of loan closing.~~

2. Borrower or any household member cannot have a current ownership interest in other real estate property or investments.
3. Borrower must contribute a minimum of 1% to 3% equity (cash) toward the purchase price of the home.
4. Borrower must have sufficient income and credit to qualify for a mortgage loan through a reputable lender.
5. Borrower must occupy the property as a principal residence. This means that the borrower household must use the property as its primary place of residence. Use of the property for rental purposes, including temporary leases, is not allowed and, if at any time during the loan term the property is no longer the principal residence of the borrower, the loan will become immediately due and payable in full. The loan documents (loan agreement, deed of trust, promissory note) executed by the City/Agency and the borrower will incorporate this requirement.
6. Preference given to eligible borrowers who live or work in Stanislaus county.

G. ELIGIBLE HOMES

Homes purchased with City or Agency assistance must meet the following requirements:

1. The home can new or existing. Acquisition of the unit, however, must not result in the displacement of any tenants residing in the unit.
2. The home must be located within the city limits of Modesto.
3. The purchase price of the home must not exceed the following affordable price limits:
2-bedroom - \$100,000; 3-bedroom - \$115,000; 4-bedroom - \$125,000

The City can refuse to participate in the purchase of homes that are clearly not in good repair, or if lead-based-paint is found on the property (common in homes built before 1978) and it is not properly addressed.

H. COMBINING THE DPAP LOAN WITH OTHER PROGRAMS AND SUBSIDIES

The DPAP loan may also be combined with other homebuyer programs and subsidies such as approved sweat-equity programs, mortgage credit certificates (MCCs), and Stanislaus County public facilities fees (PFF) waivers/deferrals. Homebuyers are encouraged to request that participating lenders apply for MCCs and PFF waivers/deferrals on their behalf, since such subsidies may allow homebuyers to qualify for a higher mortgage.

A household's assets (i.e., cash or noncash items that can be converted to cash) are recognized when determining need for assistance and for calculating annual income. When determining need, a family's case is evaluated individually, looking at factors such as amount of assets, accessibility, extenuating circumstances, and the like. The program's intent is to encourage saving. Our intent is not to leave a family with no liquid assets after the purchase of their home; however, applicants determined to have excessive assets, or asset income that causes their annual income to exceed the income eligibility guidelines, shall not be allowed to participate in the program. Ownership of any real estate asset will disqualify an applicant from participating in the program.

J. CONDITIONS FOR DISBURSING FUNDS

Before disbursing any funds, the homebuyer must (1) meet all the Down Payment Assistance Program eligibility requirements; (2) execute City or Agency loan documents (loan agreement, promissory note, subordinate trust deed) assuring compliance with the applicable requirements of the program; and (3) secure permanent financing (first mortgage).

K. FUNDING SOURCE RESTRICTIONS

Funding for DPAP loans use to assist in the purchase of existing homes, shall be restricted to Community Development Block Grant (CDBG) and Redevelopment Agency housing set-aside funds.

L. THE APPLICATION PROCESS

1. Contact the City of Modesto, Office of Housing and Neighborhoods, at (209) 577-5247 to see if you qualify for the Down Payment Assistance Program.
2. See a realtor or visit a subdivision in Modesto to select a home to purchase. The realtor will assist you in selecting a home and will execute a purchase contract and determine if you have adequate resources to qualify for a loan. The realtor will then refer you to a lender to apply for a mortgage loan and to apply for a DPAP loan. You are not obligated to use the lender referred to you by the realtor. Any lender can participate in the program.
3. See a lender to apply for a first mortgage and to complete a DPAP application, with the lender's assistance. While qualifying you for your first mortgage, the lender will assist you in completing the DPAP application, verify the information, and submit the complete loan application package to the City for approval.
4. Upon approval of the DPAP application, the City will issue a conditional letter of commitment good for 45 days from the date of issuance, and prepare the necessary loan documents for the silent subordinate mortgage. The downpayment assistance funds will be provided to the title company at escrow, to be applied toward the purchase of the home.

DETERMINING ANNUAL INCOME

Section 8 income guidelines are used to calculate annual income to determine program eligibility. Annual Income is defined as the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period. The following definitions are key to understanding the requirements for calculating Annual Income:

1. **Gross amount.** For those types of income counted, gross amounts (before any deductions have been taken) are used;
2. **Income of all adult household members.** The definition of Annual Income contains income "inclusions"--types of income to be counted--and income "exclusions"--types of income that are not considered (e.g., income of minors); and
3. **Anticipated to be received.** Annual Income is used to determine eligibility and a household's expected ability to pay, rather than past earnings, are used to estimate housing assistance needs.

The following items shall be included in determining Annual Income:

1. All wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services (before any payroll deduction);
2. Net income from the operation of a business or profession;
3. Interest, dividends, and other net income of any kind from real or personal property. Income shall include the greater of the actual income derived from all assets or a percentage of such assets based on the current passbook saving rate, as determined by HUD.
4. Lottery winnings paid in periodic payments;
5. All gross periodic payments received from Social Security, annuities, insurance policies, retirement funds, pension, disability or death benefits, and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment (except Social Security)
6. Payments in lieu of earnings such as unemployment, worker's compensation and severance pay;
7. Welfare assistance;

- ~~8. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;~~
9. All regular pay, special pay, and allowances of a member of the Armed Forces

The following items shall be excluded in determining Annual Income:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children;
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and workers compensation), capital gains and settlement for personal or property losses.
4. Amounts received by the family that are specifically for, or in reimbursement of the cost of medical expenses for any family member;
5. Income of a live-in aide;
6. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, material, supplies, transportation, and miscellaneous personal expenses of the student.
7. The special pay to a family member serving in the armed forces who is exposed to hostile fire;
8. Amounts received under training programs funded by HUD;
9. Temporary, nonrecurring, or sporadic income (including gifts);
10. Reparation payments from foreign governments in connection with the Holocaust.
11. Lump sum payment of SSI and Social Security benefits; and
12. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act.

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 6-97

A RESOLUTION APPROVING AN AMENDMENT TO THE
CITY OF MODESTO, MODESTO REDEVELOPMENT AGENCY
DOWN PAYMENT ASSISTANCE PROGRAM GUIDELINES.

WHEREAS, since June 1995, the City and its
Redevelopment Agency have been operating a Down Payment
Assistance Program (DPAP) to help low and moderate income
families purchase new homes in Modesto, and

WHEREAS, homebuyers are assisted through a deferred-
payment loan funded by HOME, Community Development Block Grant,
or the Redevelopment Agency Housing set-aside funds, and

WHEREAS, currently, DPAP funds can only be used to
assist with new home purchases and existing homes cannot be
assisted through the program, and

WHEREAS, when the program began, it was with the intent
to help stimulate the local economy by supporting new
construction, and

WHEREAS, staff is now requesting that the program be
expanded to allow homebuyers to purchase existing and new homes
through the program, and

WHEREAS, it is necessary to amend the Down Payment
Assistance Program Guidelines to allow the Redevelopment Agency
Housing set-aside funds to provide assistance for new and
existing home purchases, and

WHEREAS, the Redevelopment Agency has resolved that
providing down payment assistance to help low and moderate income

families to purchase either new or existing homes is a high priority for the City,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the City's Down Payment Assistance Program Guidelines are hereby amended, as more fully set forth in Exhibit "A" attached hereto, to allow the Redevelopment Agency Housing set-aside funds to provide assistance to low and moderate income families for the purchase of either new or existing homes.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of March, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: None

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, General Counsel

~~CITY OF MODESTO~~
**MODESTO REDEVELOPMENT AGENCY
DOWN PAYMENT ASSISTANCE PROGRAM**

PROGRAM GUIDELINES

A. INTRODUCTION

The City of Modesto and the Modesto Redevelopment Agency offers a Down Payment Assistance Program (DPAP) to assist low and moderate income families purchase a home. Eligible homes are new and existing homes located within Modesto's city limits. The program helps homebuyers by providing financial assistance toward downpayment and closing costs. It is designed for families that have adequate incomes to afford monthly mortgage payments, but have not been able to save enough money for the downpayment. Eligible participants do not have to be first-time homebuyers. The program is funded by the HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) program, and the Redevelopment Agency housing set-aside Fund. The City believes that affordable homeownership opportunities can provide the foundation whereby individual families, and entire neighborhoods, can achieve a sense of stability and community pride.

For more information about the Down Payment Assistance Program contact the City of Modesto, Office of Housing & Neighborhoods, 940 Eleventh Street, Modesto, CA 95354. Phone No: (209)577-5247; Fax No: (209) 544-3982.

B. MAXIMUM LOAN AMOUNT

There is no application fee to apply for a DPAP loan. The maximum loan for each household is determined as follows: For households earning up to 80% of area median income (AMI), the maximum loan is \$7,500. For households earning between 80% and 120% of AMI, the maximum loan is \$5,000. The current income eligibility limits are:

Household Size:	Low Income	Moderate Income
	80% AMI	120% AMI
1 person	\$22,950	\$34,450
2 person	\$26,250	\$39,350
3 person	\$29,500	\$44,300
4 person	\$32,800	\$49,200
5 person	\$35,400	\$53,150
6 person	\$38,050	\$57,050
7 person	\$40,650	\$61,000
8 person	\$43,300	\$64,950

~~C. DOWN PAYMENT REQUIREMENT~~

Homebuyers must provide a downpayment, from their own funds, to participate in the program. Households earning up to 80% of AMI are required to provide a 1% down payment, and households earning between 80% and 120% of AMI are required to provide a 3% down payment. See income chart above.

D. INTEREST RATE AND DEFERRED LOAN REPAYMENT TERMS

The DPAP loan accrues interest at 5% per year and will be charged on the unpaid balance until the full loan amount has been repaid. No payments are required on the DPAP loan for the first five years, and no interest accrues during the deferral period. Monthly payments (principal and interest) begin in year six. The loan is repaid over a 15-year period (year six through year twenty) for households earning up to 80% of AMI. Households earning between 80% and 120% of AMI are required to repay the loan over a 10-year period (year six through year fifteen).

Other repayment provisions include the following:

1. The total amount of the deferred loan plus accrued interest becomes due and payable at the time of sale or transfer of ownership, refinancing of the property, upon death of owners(s), or upon change of use of the property.
2. No Prepayment Penalty. There is no charge or penalty for making full or partial payments on the loan.
3. The deferred DPAP loan is generally not assumable. However, if the subsequent purchaser of the home is otherwise eligible for the Down Payment Assistance Program, the applicant may apply to the City for a waiver of the non-assumption feature of the loan. All proceeds from the payoff of the loan shall roll over into a revolving loan fund that will be used to assist other low and moderate income home buyers with the purchase of a home.

E. SILENT SUBORDINATE MORTGAGE

The DPAP loan is a silent, subordinate mortgage secured by a promissory note and City or Agency trust deed, and is recorded junior to the primary mortgage.

F. BORROWER ELIGIBILITY REQUIREMENTS

Eligible borrowers must meet the following eligibility criteria in order to participate:

1. Borrower must qualify as a low or moderate income household. To qualify under this criteria, borrowers must be households whose total annual income does not exceed 120 percent of the area median income (adjusted for family size) for Modesto at the time the household initially occupies the property, or at the time the City or Agency funds are invested, whichever is later (See income limits above). HOME and CDBG funds can be used to assist households at or below 80% of AMI, while Agency funds can assist households earning up to 120% of AMI. Section 8 income guidelines will be used to determine annual income, which is defined as the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period (See Determining Annual Income at Exhibit 1). Income

~~recertification will be required if more than 180 days have elapsed from the date of the original certification and the date of loan closing or occupancy of the property. It is required that the property be occupied within 60 days of loan closing.~~

2. Borrower or any household member cannot have a current ownership interest in other real estate property or investments.
3. Borrower must contribute a minimum of 1% to 3% equity (cash) toward the purchase price of the home.
4. Borrower must have sufficient income and credit to qualify for a mortgage loan through a reputable lender.
5. Borrower must occupy the property as a principal residence. This means that the borrower household must use the property as its primary place of residence. Use of the property for rental purposes, including temporary leases, is not allowed and, if at any time during the loan term the property is no longer the principal residence of the borrower, the loan will become immediately due and payable in full. The loan documents (loan agreement, deed of trust, promissory note) executed by the City/Agency and the borrower will incorporate this requirement.
6. Preference given to eligible borrowers who live or work in Stanislaus county.

G. ELIGIBLE HOMES

Homes purchased with City or Agency assistance must meet the following requirements:

1. The home can new or existing. Acquisition of the unit, however, must not result in the displacement of any tenants residing in the unit.
2. The home must be located within the city limits of Modesto.
3. The purchase price of the home must not exceed the following affordable price limits:
2-bedroom - \$100,000; 3-bedroom - \$115,000; 4-bedroom - \$125,000

The City can refuse to participate in the purchase of homes that are clearly not in good repair, or if lead-based-paint is found on the property (common in homes built before 1978) and it is not properly addressed.

H. COMBINING THE DPAP LOAN WITH OTHER PROGRAMS AND SUBSIDIES

The DPAP loan may also be combined with other homebuyer programs and subsidies such as approved sweat-equity programs, mortgage credit certificates (MCCs), and Stanislaus County public facilities fees (PFF) waivers/deferrals. Homebuyers are encouraged to request that participating lenders apply for MCCs and PFF waivers/deferrals on their behalf, since such subsidies may allow homebuyers to qualify for a higher mortgage.

I. ASSETS

A household's assets (i.e., cash or noncash items that can be converted to cash) are recognized when determining need for assistance and for calculating annual income. When determining need, a family's case is evaluated individually, looking at factors such as amount of assets, accessibility, extenuating circumstances, and the like. The program's intent is to encourage saving. Our intent is not to leave a family with no liquid assets after the purchase of their home; however, applicants determined to have excessive assets, or asset income that causes their annual income to exceed the income eligibility guidelines, shall not be allowed to participate in the program. Ownership of any real estate asset will disqualify an applicant from participating in the program.

J. CONDITIONS FOR DISBURSING FUNDS

Before disbursing any funds, the homebuyer must (1) meet all the Down Payment Assistance Program eligibility requirements; (2) execute City or Agency loan documents (loan agreement, promissory note, subordinate trust deed) assuring compliance with the applicable requirements of the program; and (3) secure permanent financing (first mortgage).

K. FUNDING SOURCE RESTRICTIONS

Funding for DPAP loans use to assist in the purchase of existing homes, shall be restricted to Community Development Block Grant (CDBG) and Redevelopment Agency housing set-aside funds.

L. THE APPLICATION PROCESS

1. Contact the City of Modesto, Office of Housing and Neighborhoods, at (209) 577-5247 to see if you qualify for the Down Payment Assistance Program.
2. See a realtor or visit a subdivision in Modesto to select a home to purchase. The realtor will assist you in selecting a home and will execute a purchase contract and determine if you have adequate resources to qualify for a loan. The realtor will then refer you to a lender to apply for a mortgage loan and to apply for a DPAP loan. You are not obligated to use the lender referred to you by the realtor. Any lender can participate in the program.
3. See a lender to apply for a first mortgage and to complete a DPAP application, with the lender's assistance. While qualifying you for your first mortgage, the lender will assist you in completing the DPAP application, verify the information, and submit the complete loan application package to the City for approval.
4. Upon approval of the DPAP application, the City will issue a conditional letter of commitment good for 45 days from the date of issuance, and prepare the necessary loan documents for the silent subordinate mortgage. The downpayment assistance funds will be provided to the title company at escrow, to be applied toward the purchase of the home.

DETERMINING ANNUAL INCOME

Section 8 income guidelines are used to calculate annual income to determine program eligibility. Annual Income is defined as the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period. The following definitions are key to understanding the requirements for calculating Annual Income:

1. **Gross amount.** For those types of income counted, gross amounts (before any deductions have been taken) are used;
2. **Income of all adult household members.** The definition of Annual Income contains income "inclusions"--types of income to be counted--and income "exclusions"--types of income that are not considered (e.g., income of minors); and
3. **Anticipated to be received.** Annual Income is used to determine eligibility and a household's expected ability to pay, rather than past earnings, are used to estimate housing assistance needs.

The following items shall be included in determining Annual Income:

1. All wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services (before any payroll deduction);
2. Net income from the operation of a business or profession;
3. Interest, dividends, and other net income of any kind from real or personal property. Income shall include the greater of the actual income derived from all assets or a percentage of such assets based on the current passbook saving rate, as determined by HUD.
4. Lottery winnings paid in periodic payments;
5. All gross periodic payments received from Social Security, annuities, insurance policies, retirement funds, pension, disability or death benefits, and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment (except Social Security)
6. Payments in lieu of earnings such as unemployment, worker's compensation and severance pay;
7. Welfare assistance;

- ~~8. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;~~
9. All regular pay, special pay, and allowances of a member of the Armed Forces

The following items shall be excluded in determining Annual Income:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children;
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and workers compensation), capital gains and settlement for personal or property losses.
4. Amounts received by the family that are specifically for, or in reimbursement of the cost of medical expenses for any family member;
5. Income of a live-in aide;
6. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, material, supplies, transportation, and miscellaneous personal expenses of the student.
7. The special pay to a family member serving in the armed forces who is exposed to hostile fire;
8. Amounts received under training programs funded by HUD;
9. Temporary, nonrecurring, or sporadic income (including gifts);
10. Reparation payments from foreign governments in connection with the Holocaust.
11. Lump sum payment of SSI and Social Security benefits; and
12. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act.

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 7-97

A RESOLUTION SUPPORTING THE JOINT POWERS AGENCY'S PROPOSAL FOR THE "10TH STREET PLACE" PROJECT LOCATED ON THE BLOCK BETWEEN J, K AND 10TH AND 11TH STREETS

WHEREAS, a Joint Powers Agency of the City and County was formed to implement a project to include a joint administrative building for the City of Modesto and Stanislaus County, and

WHEREAS, the Joint Powers Agency has adopted a proposal to competitively bid the publicly owned components (parking garage and joint administrative building) of the 10 Street Place Project.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that said proposal of the Joint Powers Agency is hereby approved.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of March, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Mayor Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Chairperson Lang
NOES: Agency Members: Serpa
ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 8-97

A RESOLUTION APPROVING AN AGREEMENT WITH CARY & CO., INC. FOR CONSULTANT SERVICES FOR A DOWNTOWN HISTORIC BUILDINGS SURVEY UPDATE AND PRIORITIZATION

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement with Cary & Co., Inc. for consultant services for a downtown historic buildings survey update and prioritization be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 8th day of April, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Chairman Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairman Lang
NOES: Agency Members: None
ABSENT: Agency Members: Fisher, McClanahan

ATTEST: 
JEAN ADAMS, Secretary

RESOLUTION OF
THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO
DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY
REQUIRE THE ACQUISITION OF CERTAIN LAND FROM
THEODORE M. COOK AND PATRICIA ANN COOK, AND
MATHEW WARD AND JOHN L. WARD, III,
AND DIRECTING THE FILING OF
EMINENT DOMAIN PROCEEDINGS

Plaza Project

APN 2-173/105-37-09-400 (Cook),
2-173/105-37-10-400 and 2-173/105-37-11-400 (Ward)

IT IS RESOLVED by the Redevelopment Agency of the City of Modesto as follows:

WHEREAS, it is desirable and necessary for the Redevelopment Agency of the City of Modesto to acquire certain real property, particularly described in Exhibits "A" and "B," attached hereto and made a part hereof by reference, in order to implement the Plaza Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of Modesto is vested with the power of eminent domain to acquire real property by virtue of Article 1, Section 19, of the Constitution of the State of California, Section 33391 of the Health and Safety Code of the State of California, and Sections 1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.410 of the Code of Civil Procedure of the State of California; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California, notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last Stanislaus County equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the Redevelopment Agency of the City of Modesto on the following matters:

- (a) Whether the public interest and necessity require the Project;

- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c) Whether the property sought to be acquired is necessary for the Project; and
- (d) Whether the offer required by Government Code Section 7267.2 has been made to the owner(s) of record.

NOW, THEREFORE, IT IS FOUND, DETERMINED, AND ORDERED as follows:

1. The public interest and necessity require the Project;
2. The Project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;
3. The taking of the fee simple title in and to the real property more particularly described in said Exhibits "A" and "B" is necessary for the Project;
4. The offer required by Section 7267.2 of the Government Code of the State of California has been made to the owner or owners of record of the real property;
5. The law firm of Meyers, Nave, Riback & Silver is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as it may deem advisable or necessary in connection therewith;
6. An order for prejudgment possession may be obtained in said action and a warrant issued to the State Treasury Condemnation Fund, in the amount determined by the Court to be so deposited, as a condition to the right of immediate possession.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 15th day of April, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa,
Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, General Counsel

LEGAL DESCRIPTION

All that certain real property situate in the County of Stanislaus, State of California, described as follows:

PARCEL NO. 1:

LOTS 29 AND 30 IN BLOCK 67 OF THE CITY OF MODESTO, AS PER MAP THEREOF, FILED DECEMBER 21, 1942 IN VOLUME 15 OF MAPS, STANISLAUS COUNTY RECORDS.

APN: 2-173/105-37-10-400

PARCEL NO. 2:

LOTS 31 AND 32 IN BLOCK SIXTY-SEVEN OF THE CITY OF MODESTO, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE RECORDER OF STANISLAUS COUNTY, CALIFORNIA, ON DECEMBER 21, 1992 IN VOLUME 15 OF MAPS.

APN: 2-173/105-37-11-400

J:\WPD\MNRSW\420\PLEAD\10\EXHIBIT.A

EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situate in the County of Stanislaus, State of California, described as follows:

LOTS TWENTY-SEVEN (27) AND TWENTY-EIGHT (28), BLOCK 67, CITY OF MODESTO, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE RECORDER OF STANISLAUS COUNTY, CALIFORNIA, ON DECEMBER 21, 1942 IN VOLUME 15 OF MAPS.

APN: 2-173/105-37-09-400

J:\WPD\MNRSW\420\PLEAD\09\EXHIBIT.A

EXHIBIT B

MODESTO REDEVELOPMENT AGENCY
RESOLUTION No. 10-97

A RESOLUTION AND FINDING THAT THE FOLLOWING PROJECT IS WITHIN THE SCOPE OF THE PROJECT COVERED BY A PREVIOUS ENVIRONMENTAL IMPACT REPORT (SCH NO. 90021233); ACQUISITION OF PROPERTY INTEREST FOR THE PLAZA PROJECT (NOW CALLED 10TH STREET PLACE) FROM MATHEW WARD, ET AL., APN NOS. 105-37-10 & 11 AND FROM THEODORE COOK, ET UX., APN 105-37-09, PROPERTIES LOCATED ON THE EAST SIDE OF 10TH STREET BETWEEN J AND K STREETS.

WHEREAS, on November 5, 1991, the Redevelopment Agency of the City of Modesto by Agency Resolution No. 27-91 certified the Final Environmental Impact Report (EIR) [State Clearing House (SCH) No. 90021233] for the Amended Redevelopment Plan for the Redevelopment project, which would expand the redevelopment project area to upgrade or build new public improvements, and

WHEREAS, the Redevelopment Agency of the City of Modesto by Agency Resolution No. 17-94 adopted a Statement of Overriding Considerations and approved the Plaza Project Disposition and Development Agreement, and

WHEREAS, by a report dated March 31, 1997, from the Community Development Department City staff recommended to the Redevelopment Agency of the City of Modesto approval for the acquisition of real property interest for the Plaza Project from Mathew Ward, et al., Assessor's Parcel Nos. 105-37-10 & 11, and from Theodore Cook, et ux., APN 105-37-09, properties located on the east side of 10th Street between J and K Streets, and

WHEREAS, said report included an Addendum to the

Supplemental Environmental Impact Report for the Plaza Project (now named 10th Street Place) for review by the Redevelopment Agency, a copy of which Addendum is attached and incorporated herein by reference, and

WHEREAS, said matter was considered by the Redevelopment Agency at its meeting of April 15, 1997, at 7:00 p.m., in the City Council Chambers, City Hall, 801 11th Street, Modesto, California,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the Agency has reviewed and considered the Addendum to the Supplemental Environmental Impact Report for the Plaza Project (now named 10th Street Place), a copy of which Addendum is attached and incorporated by reference, and the Agency hereby makes the following findings:

1. That the Agency has completed all environmental review for the project required by the California Environmental Quality Act (CEQA), including the certification of an Environmental Impact Report (EIR) for the Modesto Redevelopment Project in 1991 (Redevelopment Agency Resolution No. 27-91), the certification of a Supplemental EIR for the Plaza Project in 1994 (Redevelopment Agency Resolution No. 17-94), and the preparation of the November, 1996, Addendum to the Supplemental EIR for the Plaza Project, and that it has reviewed and considered the Addendum with the aforementioned EIR and Supplemental EIR.
2. That the Agency further finds, pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and 15164, and for the reasons set forth in the aforementioned Addendum (which is hereby incorporated by reference), that there is no need to prepare a subsequent or supplemental EIR in addition to the EIR and Supplemental EIR already prepared and certified.

BE IT FURTHER RESOLVED that the Council has determined that the acquisition of real property interest for the Plaza Project from Mathew Ward, et al., Assessor's Parcel Nos. 105-37-10 & 11, and from Theodore Cook, et ux., APN 105-37-09, properties located on the east side of 10th Street between J and K Streets, for the Plaza Project (now called 10th Street Place), is within the scope of the project covered by a previous EIR (SCH No. 90021233).

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 15th day of April, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman, Serpa, Mayor Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By

Michael D. Milich

MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 11-97

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE AN INTERIM AGREEMENT WITH STANISLAUS COUNTY, THE CITY OF MODESTO, AND THE CITY-COUNTY CAPITAL IMPROVEMENTS AND FINANCING AGENCY (JPA) FOR CASH ADVANCES TO FUND CONDEMNATION AND CONSULTING COSTS IN CONNECTION WITH THE TENTH STREET PLACE PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is hereby authorized to negotiate an interim agreement with Stanislaus County, the City of Modesto, and the City-County Capital Improvements and Financing Agency (JPA) for cash advances to fund condemnation and consulting costs in connection with the Tenth Street Place Project.

BE IT FURTHER RESOLVED that the execution of said agreement by the Executive Director and designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of April, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Friedman, Serpa, Chairman Lang

NOES: Agency Members: None

ABSENT: Agency Members: Dobbs, Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

A RESOLUTION AMENDING THE REDEVELOPMENT AGENCY BUDGET OF THE CITY OF MODESTO FOR THE THIRD QUARTER OF FISCAL YEAR 1996-97 AND RE-ESTIMATING REVENUE FOR FISCAL YEAR 1996-97

WHEREAS, the third quarter financial analysis has been completed and it has been determined that certain adjustments are required to the Redevelopment Budget of the City of Modesto for the Fiscal Year 1996-97;

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the 1996-97 Annual Budget is hereby amended as indicated on Attachment "A".

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the day of May 6, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember McClanahan, was upon roll call carried and the resolution adopted by the following votes:

AYES: Agencymember: Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa and Chairperson Lang

NOES: Agencymember: None

ABSENT: Agencymember: None

ATTEST:


JEAN ADAMS, City Clerk

(seal)

APPROVED AS TO SUFFICIENCY:

By: 
STAN FEATHERS, Budget Officer

MODESTO REDEVELOPMENT AGENCY
RESOLUTION No. 13-97

A RESOLUTION TERMINATING A DISPOSITION AND
DEVELOPMENT AGREEMENT WITH WILMORE/REGENT
PARTNERSHIP.

WHEREAS, by Resolution No. 18-94 adopted on December 27, 1994, the Redevelopment Agency of the City of Modesto, approved and authorized execution of a Disposition and Development Agreement (the "DDA") between the Redevelopment Agency of the City of Modesto (the "Agency") and Wilmore/Regent Partnership, a Georgia general partnership, doing business as Wiljan Modesto Partnership (the "Developer" under the DDA), and

WHEREAS, said DDA pertained to the proposed "Plaza Project", a redevelopment project in downtown Modesto, which included an office building to house Modesto City Schools, the County Office of Education and the City of Modesto, and, in addition, the proposed project included a parking garage, retail space, and a multi-screen cinema, and

WHEREAS, by Resolution No. 14-95, adopted on June 20, 1995, the Agency approved and authorized an assignment and assumption relating to that certain DDA from Wilmore/Regent to Wilmore/Fluor Modesto LLC, and

WHEREAS, in the spring of 1996, the two school districts withdrew from the proposed project for financial reasons, and

WHEREAS, in the fall of 1996, the City of Modesto and the County of Stanislaus entered into a Memorandum of

Understanding to pursue construction of a joint City/County administration building as part of the proposed project, and

WHEREAS, in lieu of termination of the DDA, the Agency and Wilmore/Fluor Modesto LLC attempted to negotiate an alternative development agreement which would amend and replace the original DDA, and

WHEREAS, after approximately five months of negotiations, the Agency and Wilmore/Fluor were unable to agree to terms which would allow the project to proceed with the City/County administration building, and

WHEREAS, on March 25, 1997, the Agency voted to pursue construction of the project's joint City/County building and parking garage through a public bid process, and the Agency has been informed that based on this change, Wilmore/Fluor does not want to continue to negotiate an alternative development agreement,

NOW, THEREFORE, BE IT RESOLVED by the Modesto Redevelopment Agency that, in accordance with Section 511 of the July 31, 1995, Disposition and Development Agreement, most particularly subsections 511(k), 511(m) and 511(n), said Disposition and Development Agreement is hereby terminated.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 6th day of May, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 14-97

A RESOLUTION APPROVING LOAN AGREEMENTS WITH ASHWOOD VILLAGE APARTMENTS, L.P.
FOR A \$235,000 REDEVELOPMENT AGENCY LOAN FOR ASHWOOD VILLAGE

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the loan agreements with Ashwood Village Apartments, L.P. for a \$235,000 Redevelopment Agency loan for Ashwood Village, an apartment project be, and are hereby approved.

BE IT FURTHER RESOLVED that the execution of said loan agreements by the Executive Director and designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 6th day of May, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member McClanahan, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Dobbs, Friedman, McClanahan, Serpa, Chairman Lang
NOES:	Agency Members:	Cogdill
ABSENT:	Agency Members:	Fisher

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY OF THE CITY OF MODESTO
RESOLUTION NO. 15-97

A RESOLUTION ADOPTING THE OPERATING BUDGET
AND FIRST YEAR OF THE 1997-98 CAPITAL
IMPROVEMENT PROGRAM FOR THE MODESTO
REDEVELOPMENT AGENCY FOR THE FISCAL YEAR
ENDING JUNE 30, 1998, AND PROVIDING FOR
CERTAIN TRANSFERS OF FUNDS.

WHEREAS, a proposed City of Modesto Operating Budget
and Capital Improvement Program (CIP) which encompasses the
Budget for the Redevelopment Agency for the 1997-1998 fiscal year
has been submitted to the Redevelopment Agency by the Executive
Director, and

WHEREAS, a duly noticed public hearing has been held
relating to the adoption of the Proposed Budget, and

WHEREAS, copies of the Proposed Budget have been and
are available for inspection by the public at the office of the
City Clerk/Secretary,

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

SECTION 1. That the "City of Modesto Proposed Annual
Budget 1997-98", which encompasses the Budget for the
Redevelopment Agency, presented by the City Manager/Executive
Director for the fiscal year ending June 30, 1998, a copy of
which is on file in the office of the City Clerk/Secretary, is
hereby adopted, excluding the Tenth Street Place Project, listed

on Exhibit "A", attached hereto, which was dealt with by separate motion.

SECTION 2. That Redevelopment Agency funds encumbered on June 20, 1997, are hereby appropriated for the purposes for which they are encumbered and shall be a part of the budget for the fiscal year 1997-1998 adopted hereby.

SECTION 3. That Capital Projects carried over from fiscal year 1996-1997 are hereby re-appropriated as a part of the Budget for the fiscal year 1997-1998 adopted hereby. The amount of said appropriations will equal the Reserve for Appropriated Carryover Projects established in the General Ledger Accounts of the Redevelopment Agency for all funds as of June 30, 1997.

SECTION 4. That the Redevelopment Agency is authorized by resolution to transfer funds from one fund to another fund and to transfer and authorize the expenditure of funds from the Reserved Fund Balances for specific purposes.

SECTION 5. That the Executive Director is authorized to transfer funds within departmental budgets, and between departments within the General Fund, among the following classifications, to wit: Employee Services, Professional and Contractual Services, Materials and Supplies, other operating expenses and Capital Appropriations; and to transfer appropriations for capital items budgeted within the same capital fund and that the Executive Director may delegate this authority to the Deputy City Manager.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 24th day of June, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Chairperson Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	None

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, General Counsel

Tenth Street Place Project.

By motion (Friedman/Cogdill, with Fisher/McClanahan absent, unanimous) the Tenth Street Place Project Budget was approved.

EXHIBIT "A"

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 16-97

A RESOLUTION APPROVING ZERO-PERCENT INTEREST DOWN PAYMENT ASSISTANCE PROGRAM (DPAP) LOANS FOR THE TEN (10) FAMILIES SELECTED TO PARTICIPATE IN SELF-HELP ENTERPRISES' HOME OWNERSHIP PROJECT, ALONG VICKSBURG STREET NEAR PARADISE ROAD.

WHEREAS, Self-Help Enterprises, a nonprofit housing developer, is building ten (10) single-family homes for low income home buyers, along Vicksburg Street near Paradise Road, and

WHEREAS, the Council has already approved \$25,000.00 in Down Payment Assistance Program (DPAP) funds (\$2,500.00 per household) to assist with the down payment of such homes, and

WHEREAS, the families selected to participate in the Self-Help's home ownership project will construct their homes using the mutual self-help construction method, utilizing sweat equity and voluntary labor, and are eligible for consideration if they are earning 80% or less of area median income, and

WHEREAS, Sweat-Equity programs offered by organizations such as Self-Help Enterprises and Habitat for Humanity are making home ownership a reality for families with lower incomes who need more assistance than the typical first-time home buyer, and, that could not own a home if they were required to go through the conventional home-buying process, and

WHEREAS, the Redevelopment Agency of the City of Modesto recently approved zero-percent interest DPAP loans for six families selected to participate in the Habitat for Humanity's sweat-equity program at the Wyldewood Subdivision, and staff is recommending that the ten (10) families selected for Self-Help's sweat equity program be granted the same consideration, and

WHEREAS, on June 5, 1997, the Community Development and Housing Committee reviewed this matter and recommended that the Council approve staff's recommendation,

NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Agency of the City of Modesto finds as follows:

1. That zero-percent (0%) interest DPAP loans shall be made available for the ten (10) families selected to participate in the Self-Help Enterprises' home ownership project along Vicksburg Street near Paradise Road.
2. That the ten (10) Self-Help families approved for DPAP loans will have payments of both principal and interest deferred for fifty (50) years and that payments will become immediately due and payable when the borrower sells, refinances or transfers the property, or no longer occupies the property as their principal residence.
3. That the DPAP loans will accrue interest at the rate of zero (0%) percent fixed, simple interest per year.
4. That all other DPAP loan conditions remain unchanged.

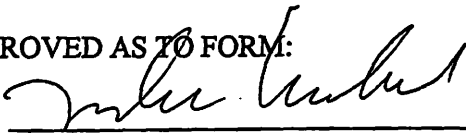
Redevelopment Agency of the City of Modesto held on the 24th day of June, 1997, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member McClanahan, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman, McClanahan, Serpa, Mayor Lang
NOES:	Agency Members:	None
ABSENT:	Agency members:	Fisher

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: 
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 16-97

A RESOLUTION APPROVING ZERO-PERCENT INTEREST
DOWN PAYMENT ASSISTANCE PROGRAM (DPAP) LOANS
FOR THE TEN (10) FAMILIES SELECTED TO PARTICIPATE
IN SELF-HELP ENTERPRISES' HOME OWNERSHIP
PROJECT, ALONG VICKSBURG STREET NEAR PARADISE
ROAD.

WHEREAS, Self-Help Enterprises, a nonprofit housing developer, is building ten
(10) single-family homes for low income home buyers, along Vicksburg Street near Paradise
Road, and

WHEREAS, the Council has already approved \$25,000.00 in Down Payment
Assistance Program (DPAP) funds (\$2,500.00 per household) to assist with the down payment of
such homes, and

WHEREAS, the families selected to participate in the Self-Help's home
ownership project will construct their homes using the mutual self-help construction method,
utilizing sweat equity and voluntary labor, and are eligible for consideration if they are earning
80% or less of area median income, and

WHEREAS, Sweat-Equity programs offered by organizations such as Self-Help
Enterprises and Habitat for Humanity are making home ownership a reality for families with
lower incomes who need more assistance than the typical first-time home buyer, and, that could
not own a home if they were required to go through the conventional home-buying process, and

WHEREAS, the Redevelopment Agency of the City of Modesto recently approved zero-percent interest DPAP loans for six families selected to participate in the Habitat for Humanity's sweat-equity program at the Wyldewood Subdivision, and staff is recommending that the ten (10) families selected for Self-Help's sweat equity program be granted the same consideration, and

WHEREAS, on June 5, 1997, the Community Development and Housing Committee reviewed this matter and recommended that the Council approve staff's recommendation,

NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Agency of the City of Modesto finds as follows:

1. That zero-percent (0%) interest DPAP loans shall be made available for the ten (10) families selected to participate in the Self-Help Enterprises' home ownership project along Vicksburg Street near Paradise Road.
2. That the ten (10) Self-Help families approved for DPAP loans will have payments of both principal and interest deferred for fifty (50) years and that payments will become immediately due and payable when the borrower sells, refinances or transfers the property, or no longer occupies the property as their principal residence.
3. That the DPAP loans will accrue interest at the rate of five (5%) percent fixed, simple interest per year.
4. That all other DPAP loan conditions remain unchanged.

Redevelopment Agency of the City of Modesto held on the 24th day of June, 1997, by
Agency Member Cogdill, who moved its adoption, which motion being duly seconded
by Agency Member McClanahan, was upon roll call carried and the resolution adopted by
the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman, McClanahan, Serpa, Mayor Lang
NOES:	Agency Members:	None
ABSENT:	Agency members:	Fisher

ATTEST:

Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By:

Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 17-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND SORANNO INC. REGARDING THE RENOVATION OF THE SHOPPING CENTER AT PARADISE AND MARTIN LUTHER KING DRIVE

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and Soranno Inc. regarding the renovation of the shopping center at Paradise and Martin Luther King Drive be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement for services by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 24th day of June, 1997, by Agencymember McClanahan, who moved its adoption, which motion being duly seconded by Agencymember Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Fisher, Friedman, McClanahan, Serpa,
Chairperson Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Dobbs

ATTEST: Jean Adams
JEAN ADAMS, Secretary

A RESOLUTION AMENDING THE REDEVELOPMENT AGENCY BUDGET TO ASSIST WITH RENOVATION OF THE SHOPPING CENTER AT PARADISE AND MARTINE LUTHER KING DRIVE

WHEREAS, the Planning Commission approved an amended plan or the neighborhood center at Paradise and Martin Luther King Drive with \$40,000 worth of development assistance; and

WHEREAS, the developer was giving the Police Department free rent with an annual value of approximately \$10,000; and

WHEREAS, based on the value of this space, staff recommended the total amount of assistance be up to \$70,000, subject to the provision of free Police space.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the 1996-97 Annual Budget is hereby amended as indicated below:

#905-800-8000-8003	\$(70,000)
#905-140-J189-6040	\$ 70,000

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the day of June 24, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember McClanahan, was upon roll call carried and the resolution adopted by the following votes:

AYES: Agencymember: Cogdill, Fisher, Friedman, McClanahan, Serpa and Chairperson Lang

NOES: Agencymember: None

ABSENT: Agencymember: Dobbs

ATTEST: Jean Adams
JEAN ADAMS, City Clerk

(seal)

APPROVED AS TO SUFFICIENCY:

By: Stan Feathers
STAN FEATHERS, Budget Officer

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 19-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND ROBERT CAMPANA AND DEAN MALISPINA, DBA VINTAGE GARDEN DOWNTOWN FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and Robert Campana and Dean Malispina, dba Vintage Garden Downtown for the Tenth Street Place Project, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 24th day of June, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Chairperson Lang
NOES: Agencymembers: None
ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

A RESOLUTION AMENDING THE REDEVELOPMENT AGENCY BUDGET TO COMPENSATE TENANTS FOR THEIR INTEREST IN THE COOK PROPERTY

WHEREAS, the Agency took action to take possession of the Cook property for 10th Street Place. Part of the Agency's responsibility is to relocate the tenants; and

WHEREAS, the original relocation benefits indicated the tenants were entitled to approximately \$28,000, which the tenants were not in agreement with. After additional review, staff recommended a payment of \$55,000.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the 1996-97 Annual Budget is hereby amended as indicated below:

#907-800-8000-8003	\$(55,000)
#907-140-1492-0467	\$ 55,000

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the day of June 24, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Cogdill, was upon roll call carried and the resolution adopted by the following votes:

AYES: Agencymember: Cogdill, Fisher, Friedman, McClanahan, Serpa and Chairperson Lang

NOES: Agencymember: None

ABSENT: Agencymember: Fisher & McClanahan

ATTEST: Jean Adams
JEAN ADAMS, City Clerk

(seal)

APPROVED AS TO SUFFICIENCY:

By: Stan Feathers
STAN FEATHERS, Budget Officer

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
MODESTO APPROVING AND AUTHORIZING THE EXECUTION OF
A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN
THE AGENCY AND CIVIC PARTNERS MODESTO, LLC
(10th Street Place Project)

WHEREAS, the Redevelopment Agency of the City of Modesto (the "Agency") is carrying out the Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project"); and

WHEREAS, the Agency has received a proposed Disposition and Development Agreement (the "DDA") from CIVIC PARTNERS MODESTO, LLC, a California limited liability company whose members are Steven P. Semingson and Rose Marie Semingson (the "Developer"), providing for (a) the acquisition of certain property (the "Site") located within the City of Modesto, (b) the sale of portions of the Site defined in the DDA as the Garage Retail Parcel and the Cinema/Retail Parcel to the Developer, (c) the lease of, with an option to purchase, a portion of the Site defined in the DDA as the JPA Retail Parcel to the Developer (the Garage Retail Parcel, the Cinema/Retail Parcel and the JPA Retail Parcel are collectively referred to as the "Developer Parcels"), and (c) the development by the Developer on the Developer Parcels of a cinema complex and retail space (the "Developer's Project"),

WHEREAS, the Developer's Project will be constructed in conjunction with a separate, but related project (the "JPA Project") adjacent to the Developer's Parcels, including a joint City Hall and County Administration Facility (the "Public Administration Facility") and a public garage (the "Public Garage") to be developed by the City-County Capital Improvements and Financing Authority (the "JPA"), pursuant to an agreement (the "Master Agreement") to be entered into between the Agency, City of Modesto, County of Stanislaus and the JPA (the Developer's Project and the JPA Project are collectively referred to herein as the "10th Street Place Project"); and

WHEREAS, as more fully set forth in the DDA, (a) the Cinema/Retail Parcel consists of real property, a portion of which will be acquired by the Agency and conveyed to the Developer, and a portion of which will be acquired directly by the Developer, and upon which the Developer will develop the cinema complex; (b) the Garage Retail Parcel is located in or immediately adjacent to the Public Garage and will be improved by the JPA with a developable building prior to conveyance to the Agency and Developer; and (c) the JPA Retail Parcel consists of a portion of the retail shell space to be developed by the JPA, located on the ground floor of the Public Administration Facility; and

WHEREAS, the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*) provides in Section 33431 that any sale or lease of Agency property may be made only after a public hearing of the Agency after publication of notice as provided by law; and

WHEREAS, the Community Redevelopment Law provides in Section 33433 that before any property acquired, in whole or in part, with tax increment monies, is sold or leased for development pursuant to a redevelopment plan, such sale or lease shall first be approved by the legislative body after a public hearing, that notice of the time and place of the hearing shall be published in a newspaper of general circulation in the community for at least two (2) successive weeks prior to the hearing, and that the Agency shall make available for public inspection a copy of the proposed sale or lease and a report containing specified information and the financial aspects of the proposal; and

WHEREAS, pursuant to Section 33445 of the Community Redevelopment Law, the Agency is authorized, with the consent of the City Council, to pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure or other improvement which is publicly owned either within or without the Project Area upon a determination by the City Council that such building, facility, structure or other improvement is of benefit to the Project Area or the immediate area in which the Project is located and that no other reasonable means of financing such building, facility, structure or other improvement are available to the community; and

WHEREAS, the Community Redevelopment Law provides in Section 33679 that before an agency commits to use tax increment funds for the purpose of paying all or part of the value of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the legislative body shall hold a public hearing, that notice of the time and place of the hearing shall be published in a newspaper of general circulation in the community for at least two (2) successive weeks prior to the hearing, and that a summary report shall be available for public inspection containing specified information; and

WHEREAS, notice of public hearings by the City Council of the City of Modesto (the "City") and the Agency were published in the *Modesto Bee* on July 8, 1997, and July 15, 1997; and

WHEREAS, the Agency prepared a report pursuant to Sections 33433 and 33679 of the Health and Safety Code containing a copy of the DDA and a summary describing the cost of the DDA to the Agency, the value of the property interest to be conveyed, the purchase price and other information required by said Sections 33433 and 33679, and said report was made available to the public for inspection; and

WHEREAS, the City Council and the Agency held a joint public hearing on July 22, 1997, in the City Council Chambers to consider and act on the disposition and development of the Developer Parcels pursuant to the DDA;

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Agency hereby finds and determines that the sale of the Cinema/Retail Parcel and the Garage Retail Parcel to the Developer, the lease of the JPA Retail Parcel to the Developer, and development of the Developer Parcels pursuant to the DDA will assist in the elimination of blight within the redevelopment project area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. This finding is based upon the fact that the Developer Parcels are being sold and leased for purposes of development on the Developer Parcels of a cinema complex and other retail uses pursuant to the DDA and in accordance with and in implementation of the Redevelopment Plan. This finding is further based upon the additional facts and information contained in the Report prepared by the Agency pursuant to Health and Safety Code Sections 33433 and 33679.

Section 2. The Agency hereby finds and determines that the purchase price for the Cinema/Retail Parcel and the Garage Retail Parcel and the lease payments (and option purchase price) for the JPA Retail Parcel to be paid by the Developer is not less than the fair reuse value of the Developer Parcels at the use and with the covenants and conditions and development costs authorized by the DDA. This finding is based upon the fact that the Developer is required to develop the cinema complex and retail uses on the Developer Parcels in accordance with the DDA, the Developer Parcels will be developed in conjunction with the JPA Project as part of the overall 10th Street Place Project, and the 10th Street Place Project (including the Developer's Project) will be subject to the covenants, conditions and restrictions contained in a Reciprocal Easement Agreement, Operation and Maintenance Agreement, and other covenants and restrictions set forth in the DDA. This finding is further based upon the facts and information contained in the Report prepared by the Agency pursuant to Health and Safety Code Sections 33433 and 33679.

Section 3. The Agency hereby finds and determines that the payment by the Agency for the acquisition of the JPA Retail Parcel, including the retail shell improvements to be constructed thereon by the JPA pursuant to the Master Agreement to be owned by the Agency and leased to the Developer (herein, the "Agency's Improvements"), as provided in the DDA, is necessary to effectuate the purposes of the Redevelopment Plan. The Agency further finds and determines that the development of the Agency's Improvements are of primary benefit to the Project Area and the immediate neighborhood in which the project is located, that no other reasonable means of financing the Agency Improvements are available to the community, and that the payment of funds for the acquisition of land and the cost of such Agency Improvements will assist in the elimination of one or more blighting conditions inside the Project Area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. The foregoing findings and determinations are based upon the facts

Section 4. The Agency finds and determines that the project, including the development of the Developer Parcels, is covered by a program EIR (#90021233) certified by Agency Resolution No. 27-91 on November 5, 1991, a Final Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, and an Addendum to Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 19-96 on November 19, 1996, (collectively, the "Prior EIRs") and that the Project incorporates all applicable mitigation measures identified in said Resolution Nos. 27-91, 17-94, and 19-96 to reduce environmental impacts to less than a significant level except for the loss of the Covell Hotel, and as to such mitigation measures and environmental impacts, the Agency hereby adopts and incorporates by reference herein, to the extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and Statement of Overriding Considerations set forth in said Resolution Nos. 27-91, 17-94, and 19-96. The Agency further finds that the project, including the development of the Developer Parcels, is within the scope of the Prior EIRs and that no additional environmental impact report or other environmental analysis is required because: (a) the DDA does not propose subsequent changes in the project which will require major revisions to the Prior EIRs; (b) substantial changes have not occurred with respect to the circumstances under which the DDA will be implemented which will require major revisions in the Prior EIRs; and (c) there is no new information available which was not known or could not have been known at the time the Prior EIRs were certified as complete.

Section 5. The Agency hereby approves the DDA in substantially the form on file with the Secretary of the Agency. The Agency further approves and authorizes the acquisition of the Site and sale and lease, as applicable, of the Developer Parcels to the Developer. The Agency hereby further approves the provision of the Agency Improvements by the Agency, including without limitation the payment of costs for the JPA Retail Parcel, including the retail shell improvements thereon, to be acquired by the Agency and subsequently leased to the Developer pursuant to the DDA.

Section 6. The Executive Director and Secretary of the Agency are hereby authorized and directed to execute the DDA on behalf of the Agency, subject to any minor conforming, technical or clarifying changes approved by the Agency Counsel. The Executive Director and Secretary are hereby further authorized and directed to take such further actions and execute such documents as are necessary to carry out the DDA on behalf of the Agency, including without limitation the Reciprocal Easement Agreement, Operation and Maintenance Agreement, Condominium Agreement relating to the JPA Retail Parcel, the Lease, Grant Deeds, and all other

actions and documents necessary for the acquisition, sale, lease and development of the Developer Parcels in accordance with the DDA.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By:

Mike Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 22-97

A RESOLUTION APPROVING THE PROPOSED SALE OF
CERTAIN REAL PROPERTY TO THE CITY-COUNTY
CAPITAL IMPROVEMENTS AND FINANCING AUTHORITY

WHEREAS, on July 22, 1997, the City Council, by its Resolution No. 97-440, and the Redevelopment Agency, by its Resolution No. 23-97, approved the Master Agreement between the City of Modesto, the Redevelopment Agency of the City of Modesto, the County of Stanislaus, and the City-County Capital Improvements and Financing Authority for the purpose of implementing the public portions of the 10th Street Place project, and

WHEREAS, said project is covered by a program EIR (SCH #90021233) certified by Agency Resolution No. 27-91 on November 5, 1991, a Final Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, and an Addendum to Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 19-96 on November 19, 1996, (collectively, the "Prior EIRs"), and that the Project incorporates all applicable mitigation measures identified in said Resolution Nos. 27-91, 17-94, and 19-96 to reduce environmental impacts to less than a significant level except for the loss of the Covell Hotel, and as to such mitigation measures and environmental impacts, the Agency hereby adopts and incorporates by reference herein, to the extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and Statement of Overriding Considerations set forth in said

WHEREAS, said project is within the scope of the Prior EIRS and no additional environmental impact report or other environmental analysis is required, and

WHEREAS, under the terms of the proposed Master Agreement, the Redevelopment Agency will serve as the agent for purchasing properties needed for said project, and once purchased by the Agency said property will be sold to the City-County Capital Improvements And Financing Authority, and

WHEREAS, specific properties to be sold may include all or part of APN Nos. 105-37-03, 105-37-04, 105-37-05, 105-37-06, 105-37-07, 105-37-08, and 105-37-12, and

WHEREAS, Section 33431 of the Health and Safety Code requires a redevelopment agency to hold a public hearing in order to sell or lease real property, and

WHEREAS, the purchase prices for said properties to be sold by the Redevelopment Agency to the Joint Powers Authority will be the actual costs incurred by the Agency in acquiring the properties,

NOW, THEREFORE, BE IT RESOLVED, by the Redevelopment Agency of the City of Modesto that it hereby approves the proposed sale of certain real property, including all or part of APN Nos. 105-37-03, 105-37-04, 105-37-05, 105-37-06, 105-37-07, 105-37-08, and 105-37-12, to the City-County Capital Improvements and Financing Authority.

BE IT FURTHER RESOLVED that the Agency finds and determines that the Project is within the scope of the Prior EIRS and that no additional environmental impact report or other environmental analysis is required.

Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, General Counsel

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
MODESTO APPROVING AND AUTHORIZING THE EXECUTION OF A
MASTER AGREEMENT AMONG THE COUNTY OF STANISLAUS, THE CITY
OF MODESTO, THE CITY-COUNTY CAPITAL IMPROVEMENTS AND
FINANCING JOINT POWERS AGENCY AND THE AGENCY**

WHEREAS, the Redevelopment Agency of the City of Modesto (the "Agency") is carrying out the Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project"); and

WHEREAS, the Agency and the City of Modesto (the "City") have been negotiating the terms of a Master Agreement (the "Master Agreement") with the County of Stanislaus (the "County"), and the City-County Capital Improvements and Financing Agency (the "JPA") for the development of a mixed-use project known as the "10th Street Place Project" on certain real property (the "Project Site") located within the City of Modesto; and

WHEREAS, the Master Agreement provides for development and construction of a mixed-use project (the "JPA Project") including: (a) the acquisition, disposition and demolition and clearing of the Project Site, (b) the design and construction on a portion of the Project Site (the "Public Administration Center Parcel") a public administration building (the "Public Administration Center") in which the City and County shall each locate its offices, which Public Administration Center will be owned by the JPA, except for certain retail space (the "JPA Retail Parcel") to be owned by the Agency and leased to a private developer for development, and common area to be owned by an owners association, (c) the design and construction on a portion of the Project Site (the "Parking Garage Parcel") a parking garage (the "Parking Garage") to be owned by the Agency, (d) the design and construction of a public plaza to be located between the Public Administration center, the Parking Garage and the Retail Parcel, portions of the plaza to be owned by each of the JPA and Agency, (e) the design and construction on a portion of the Project Site a Service Area to be owned by the JPA, (f) provision of a retail parcel (the "Garage Retail Parcel") and a building pad for a freestanding retail center to be owned and paid for by the Agency and to be subsequently conveyed to a private developer for development, and (g) reconstruction of certain public rights-of-way surrounding the Project Site; and

WHEREAS, the JPA Project under the Master Agreement will be constructed in conjunction with a separate, but related project (the "Private Developer's Project") adjacent to the JPA Project Site, including a cinema complex and retail space, pursuant to a Disposition and Development Agreement (the "DDA") to be entered into between the Agency and a private developer (the "Developer"); and

WHEREAS, in implementation of the Master Agreement, the Agency shall acquire title to all the real property comprising the Project Site from the City and

other third party owners, and shall sell a portion of the Project Site (collectively, the "JPA Parcels") to the JPA and shall retain a portion of the Site for development, all as more particularly set forth in the Master Agreement; and

WHEREAS, the Community Redevelopment Law provides in Section 33433 that before any property acquired, in whole or in part, with tax increment monies, is sold or leased for development pursuant to a redevelopment plan, such sale or lease shall first be approved by the legislative body after a public hearing, that notice of the time and place of the hearing shall be published in a newspaper of general circulation in the community for at least two (2) successive weeks prior to the hearing, and that the Agency shall make available for public inspection a copy of the proposed sale or lease and a report containing specified information and the financial aspects of the proposal; and

WHEREAS, pursuant to Section 33445 of the Community Redevelopment Law, the Agency is authorized, with the consent of the City Council, to pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure or other improvement which is publicly owned either within or without the Project Area upon a determination by the City Council that such building, facility, structure or other improvement is of benefit to the Project Area or the immediate area in which the Project is located and that no other reasonable means of financing such building, facility, structure or other improvement are available to the community; and

WHEREAS, the Community Redevelopment Law provides in Section 33679 that before an agency commits to use tax increment funds for the purpose of paying all or part of the value of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the legislative body shall hold a public hearing, that notice of the time and place of the hearing shall be published in a newspaper of general circulation in the community for at least two (2) successive weeks prior to the hearing, and that a summary report shall be available for public inspection containing specified information; and

WHEREAS, notice of public hearings by the City Council of the City of Modesto (the "City") and the Agency were published in the *Modesto Bee* on July 8, 1997, and July 15, 1997; and

WHEREAS, in connection with the consideration and approval of the Master Agreement and the DDA, the Agency prepared a report pursuant to Health and Safety Code Sections 33433 and 33679 containing the information required by said Sections, and the City Council and the Agency held a duly noticed joint public hearing on July 22, 1997, in the City Council Chambers to consider and act upon the acquisition, disposition and development of the Project Site pursuant to the Master Agreement, and other issues relating to the development of the project;

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Agency hereby finds and determines that the sale of the JPA Parcels to the JPA, and development of the JPA Parcels pursuant to the Master Agreement will assist in the elimination of blight within the redevelopment project area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. This finding is based upon the fact that the JPA Parcels are being sold for purposes of development on the JPA Parcels of the Public Administration Center and other related uses pursuant to the Master Agreement and in accordance with and in implementation of the Redevelopment Plan. This finding is further based upon the additional facts and information contained in the Master Agreement and the Report prepared by the Agency pursuant to Health and Safety Code Sections 33433 and 33679.

Section 2. The Agency hereby finds and determines that the purchase price for the JPA Parcels to be paid by the JPA is not less than the fair market value at its highest and best use in accordance with the Redevelopment Plan. This finding is based upon the fact that the JPA shall pay the entire cost of the acquisition of the real property comprising the JPA Parcels. In the event it is determined that the purchase price is less than the fair market value, the Agency hereby finds and determines that the purchase price for the JPA Parcels to be paid by the JPA is not less than the fair reuse value of the JPA Parcels at the use and with the covenants and conditions and development costs authorized by the Master Agreement. This finding is based upon the fact that the JPA is required to develop the Public Administration Center and other related uses on the JPA Parcels in accordance with the Master Agreement; the JPA Parcels will be developed as part of the JPA Project in conjunction with the Private Developer Project, as part of the overall 10th Street Place Project; and the 10th Street Place Project (including the Developer's Project) will be subject to the covenants, conditions and restrictions contained in a Reciprocal Easement Agreement, Operation and Maintenance Agreement, and other covenants and restrictions set forth in the Master Agreement. This finding is further based upon the facts and information contained in the Master Agreement and the Report prepared by the Agency pursuant to Health and Safety Code Sections 33433 and 33679.

Section 3. The Agency hereby finds and determines that no tax increments will be used, directly or indirectly, in the acquisition of that portion of the Project Site upon which the Public Administration Center will be located (the "Public Administration Center Parcel"), which Public Administration Center Parcel is exclusive of the JPA Retail Parcel addressed in Section 2, below. The foregoing finding and determination is based upon the fact that, pursuant to the Master Agreement, the JPA will own and construct the joint Public Administration Center improvements to be constructed thereon.

Section 4. The Agency hereby finds and determines that the provision of the JPA Retail Parcel and the Garage Retail Parcel, in furtherance of the DDA and as provided in the Master Agreement, is necessary to effectuate the purposes of the Redevelopment Plan. The Agency further finds and determines that the JPA Retail

Parcel, including the retail shell improvements to be developed thereon by the JPA, and the Garage Retail Parcel, including the building pad to be developed thereon by the JPA, are of primary benefit to the Project Area and the immediate neighborhood in which the project is located, that no other reasonable means of financing the Agency's costs for the JPA Retail Parcel are available to the community, and that the payment of funds for the acquisition of land and the cost of such JPA Retail Parcel and Garage Retail Parcel will assist in the elimination of one or more blighting conditions inside the Project Area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. The foregoing findings and determination are based upon the fact that the JPA Retail Parcel, including the retail shell improvements to be developed thereon by the JPA, will be leased to the Developer for development of retail uses pursuant to the DDA, and the Garage Retail Parcel, including the building pad to be developed thereon by the JPA, will be conveyed to the Developer for development of retail uses pursuant to the DDA. The foregoing findings and determinations are further based upon the facts and information contained in the Report prepared by the Agency pursuant to Health and Safety Code Section 33433 and 33679.

Section 5. The Agency hereby finds and determines that the provision of the Public Garage is necessary to effectuate the purposes of the Redevelopment Plan. The Agency further finds and determines that the Public Garage is of primary benefit to the Project Area and the immediate neighborhood in which the project is located, that no other reasonable means of financing the Agency's costs for the acquisition and development of the Public Garage are available to the community, and that the payment of funds for the acquisition of land and the cost of such Public Garage will assist in the elimination of one or more blighting conditions inside the Project Area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. The foregoing findings and determinations are based upon the facts and information contained in the Report prepared by the Agency pursuant to Health and Safety Code Section 33679.

Section 6. The Agency hereby finds and determines that the provision of the Public Plaza is necessary to effectuate the purposes of the Redevelopment Plan. The Agency further finds and determines that the Public Plaza, as part of the 10th Street Place Project, is of primary benefit to the Project Area and the immediate neighborhood in which the project is located, that no other reasonable means of financing the Agency's portion of the costs for the acquisition and development of the Public Plaza are available to the community, and that the payment of funds for the acquisition of land and the cost of such Public Plaza will assist in the elimination of one or more blighting conditions inside the Project Area and is consistent with the Five-Year Implementation Plan adopted by the Agency pursuant to Health and Safety Code Section 33490. The foregoing findings and determinations are based upon the facts and information contained in the Report prepared by the Agency pursuant to Health and Safety Code Section 33679.

Section 7. The Agency finds and determines that the development of the Project Site in accordance with the Master Agreement, including the development of the Public Administration Center, the JPA Retail Parcel, the Public Garage, the Garage Retail parcel, the Public Plaza, the Service Area and other improvements related thereto, is covered by a program EIR (#90021233) certified by Agency Resolution No. 27-91 on November 5, 1991, a Final Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, and an Addendum to Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 19-96 on November 19, 1996, (collectively, the "Prior EIRs") and that the Project incorporates all applicable mitigation measures identified in said Resolutions Nos 27-91, 17-94, and 19-96 to reduce environmental impacts to less than a significant level except for the loss of the Covell Hotel, and as to such mitigation measures and environmental impacts, the Agency hereby adopts and incorporates by reference herein, to the extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and Statement of Overriding Considerations set forth in said Resolution Nos. 27-91, 17-94, and 19-96. The Agency further finds that the project, including the development of the Project Site, is within the scope of the Prior EIRs and that no additional environmental impact report or other environmental analysis is required because: (a) the Master Agreement does not propose subsequent changes in the project which will require major revisions to the Prior EIRs; (b) substantial changes have not occurred with respect to the circumstances under which the Master Agreement will be implemented which will require major revisions in the Prior EIRs; and (c) there is no new information available which was not known or could not have been known at the time the Prior EIRs were certified as complete.

Section 8. The Agency hereby approves the Master Agreement in substantially the form on file with the Agency Secretary.

Section 9. The Executive Director of the Agency is hereby authorized and directed to execute the Master Agreement on behalf of the Agency, subject to any minor conforming, technical or clarifying changes approved by Agency Counsel, and is further authorized to take such further actions and execute such documents as are necessary to carry out the Master Agreement on behalf of the Agency. The Executive Director is hereby further authorized and directed to take such actions as may be appropriate to facilitate the issuance of bonds or the establishment of such other financing mechanism as appropriate by the Agency to cover the Agency's costs and obligations for development of the Agency's portions of the 10th Street Place Project as provided for under the Master Agreement and the DDA. The Executive Director is further authorized and directed to take such further actions and execute such additional documents as are necessary to acquire the Project Site and sell such portion thereof to the JPA as set forth in the Master Agreement.

The foregoing resolution was introduced at a special meeting of the Redevelopment

Agency of the City of Modesto held on the 22nd day of July, 1997, by Agency Member Dobbs, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Dobbs, Cogdill, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: Serpa

ABSENT: Agency members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: 
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 24-97

A RESOLUTION ACCEPTING TITLE TO PROPERTY
CONVEYED BY THE CITY OF MODESTO TO THE
REDEVELOPMENT AGENCY OF THE CITY OF MODESTO
(APN's 105-37-01, 105-37-05, 105-42-01, and 105-42-02).

WHEREAS, the City of Modesto owns APN's 105-37-01, 105-37-05, 105-42-01,
and 105-42-02 located on 10th Street and 11th Street, and

WHEREAS, said property was acquired for public parking lots, and

WHEREAS, the Council of the City of Modesto has agreed to convey said
parking lots to the Redevelopment Agency of the City of Modesto, and

WHEREAS, the Redevelopment Agency of the City of Modesto is actively
pursuing the Tenth Street Place Project, and

WHEREAS, said project is covered by a program EIR (SCH #90021233)
certified by Agency Resolution No. 27-91 on November 5, 1991, City Council Resolution No.
No. 91-673 on November 5, 1991, a Final Supplemental Environmental Impact Report relating
to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, approved
by City Council Resolution No. 94-750, and an Addendum to Supplemental Environmental
Impact Report relating to the Plaza Project, certified by Agency Resolution No. 19-96 on
November 19, 1996, and approved by City Council Resolution No. 96-635 on November 19,
1996, (collectively, the "Prior EIRs"), and that the Project incorporates all applicable mitigation
measures identified in said Agency Resolution Nos. 27-91, 17-94, and 19-96 and City Council

Resolution Nos. 91-673, 94-750, and 96-635 to reduce environmental impacts to less than a significant level except for the loss of the Covell Hotel, and as to such mitigation measures and environmental impacts, the Agency hereby adopts and incorporates by reference herein, to the extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and Statement of Overriding Considerations set forth in said Agency Resolution Nos. 27-91, 17-94, and 19-96, and City Council Resolution Nos. 91-673, 94-750, and 96-635, and

WHEREAS, said project is within the scope of the Prior EIRS and no additional environmental impact report or other environmental analysis is required, and

WHEREAS, the block encompassing the project area has two City parking lots, one of which is to be sold to the Joint Powers Authority (JPA), the other to be used for a parking structure, and

WHEREAS, two additional lots on the west side of 10th Street are needed for the cinema project, and

WHEREAS, title to these properties should vest in the name of the Redevelopment Agency in order to facilitate the Tenth Street Place Project, and

WHEREAS, the City of Modesto has agreed to convey by grant deed title to said property to the Redevelopment Agency of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED, by members of the Redevelopment Agency of the City of Modesto that it does hereby accept the conveyance of title to APN's 105-37-01, 105-37-05, 105-42-01, and 105-42-02 to the Redevelopment Agency of the City of Modesto for the Tenth Street Place Project.

Project is within the scope of the Prior EIRs and that no additional environmental impact report or other environmental analysis is required.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 24-97

A RESOLUTION ACCEPTING TITLE TO PROPERTY
CONVEYED BY THE CITY OF MODESTO TO THE
REDEVELOPMENT AGENCY OF THE CITY OF MODESTO
(APN's 105-37-01, 105-37-05, 105-42-01, and 105-42-02).

WHEREAS, the City of Modesto owns APN's 105-37-01, 105-37-05, 105-42-01,
and 105-42-02 located on 10th Street and 11th Street, and

WHEREAS, said property was acquired for public parking lots, and

WHEREAS, the Council of the City of Modesto has agreed to convey said
parking lots to the Redevelopment Agency of the City of Modesto, and

WHEREAS, the Redevelopment Agency of the City of Modesto is actively
pursuing the Tenth Street Place Project, and

WHEREAS, said project is covered by a program EIR (SCH #90021233)
certified by Agency Resolution No. 27-91 on November 5, 1991, City Council Resolution No.
No. 91-673 on November 5, 1991, a Final Supplemental Environmental Impact Report relating
to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, approved
by City Council Resolution No. 94-750, and an Addendum to Supplemental Environmental
Impact Report relating to the Plaza Project, certified by Agency Resolution No. 19-96 on
November 19, 1996, and approved by City Council Resolution No. 96-635 on November 19,
1996, (collectively, the "Prior EIRs"), and that the Project incorporates all applicable mitigation
measures identified in said Agency Resolution Nos. 27-91, 17-94, and 19-96 and City Council

~~Resolution Nos. 91-673, 94-750, and 96-635 to reduce environmental impacts to less than a~~
significant level except for the loss of the Covell Hotel, and as to such mitigation measures and
environmental impacts, the Agency hereby adopts and incorporates by reference herein, to the
extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and
Statement of Overriding Considerations set forth in said Agency Resolution Nos. 27-91, 17-94,
and 19-96, and City Council Resolution Nos. 91-673, 94-750, and 96-635, and

WHEREAS, said project is within the scope of the Prior EIRS and no additional
environmental impact report or other environmental analysis is required, and

WHEREAS, the block encompassing the project area has two City parking lots,
one of which is to be sold to the Joint Powers Authority (JPA), the other to be used for a parking
structure, and

WHEREAS, two additional lots on the west side of 10th Street are needed for the
cinema project, and

WHEREAS, title to these properties should vest in the name of the
Redevelopment Agency in order to facilitate the Tenth Street Place Project, and

WHEREAS, the City of Modesto has agreed to convey by grant deed title to said
property to the Redevelopment Agency of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED, by members of the Redevelopment
Agency of the City of Modesto that it does hereby accept the conveyance of title to APN's 105-
37-01, 105-37-05, 105-42-01, and 105-42-02 to the Redevelopment Agency of the City of
Modesto for the Tenth Street Place Project..

Project is within the scope of the Prior EIRs and that no additional environmental impact report or other environmental analysis is required.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Councilmember Friedman, who moved its adoption, which motion being duly seconded by Councilmember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, City Attorney

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 25-97

A RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND ELIZABETH GRACE KOKKO TRUST OF JULY 1991 AND BRUCE KOKKO FOR PURCHASE OF PROPERTY FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to an agreement between the Redevelopment Agency of the City of Modesto and Elizabeth Grace Kokko Trust of July 1991 and Bruce Kokko for purchase of property for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Dobbs, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 26-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND GEORGE KOUNIAS, JR. AND THE GEORGE KOUNIAS, JR. AND ELIZABETH KOUNIAS 1996 TRUST FOR PURCHASE OF PROPERTY FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and George Kouias, Jr. and the George Kounias, Jr. and Elizabeth Kounias 1996 trust for purchase of property for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of July, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Dobbs, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 27-97

A RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND ZODIAC REAL ESTATE INVESTORS I, A GENERAL PARTNERSHIP FOR PURCHASE OF PROPERTY FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to an agreement between the Redevelopment Agency of the City of Modesto and Zodiac Real Estate Investors I for purchase of property for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 5th day of August, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Codgill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 28-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO AND LARRY POWELL, dba IVAN'S BARBER SHOP FOR RELOCATION COMPENSATION RESULTING FROM THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to an agreement between the Redevelopment Agency of the City of Modesto and Larry Powell, dba Ivan's Barber Shop for relocation compensation resulting from the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 5th day of August, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Codgill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

**MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 29-97**

**A RESOLUTION APPROVING DOCUMENTS AND
AUTHORIZING THE CITY MANAGER TO EXECUTE
CERTAIN DOCUMENTS RELATING TO THE TENTH
STREET PLACE PROJECT.**

WHEREAS, by Redevelopment Agency Resolution N. 23-97, adopted on July 22, 1997, the Modesto Redevelopment Agency authorized the execution of a Master Agreement among the County of Stanislaus, the City of Modesto, the City-County Capital Improvements and Financing Joint Powers Agency and the Redevelopment Agency of the City of Modesto, and

WHEREAS, on August 12, 1997, the Modesto Redevelopment Agency considered a staff report from the General Counsel which described the required approval and/or execution by the Executive Director of documents listed in said staff report, a copy of which report is on file in the office of the Secretary of the Redevelopment Agency,

NOW, THEREFORE, BE IT RESOLVED by the Modesto Redevelopment Agency that the Agency hereby approves and/or authorizes the Executive Director to execute certain documents, as appropriate, as noted below, copies of which documents are on file in the office of the Secretary,

- a. The Redevelopment Agency approves an agreement for the sale of the existing City Hall block from the City of Modesto to the County of Stanislaus.**
- b. The Redevelopment Agency approves and authorizes the Executive Director to execute a reciprocal easement, operation and maintenance agreement among the RDA, the JPA, and the Tenth Street Place Project Developer.**

- c. The Redevelopment Agency approves a Grant Deed for the conveyance from the City of Modesto to Stanislaus County of the City's real property located at the southeast corner of 11th Street and G Street in Modesto behind the existing County Administration Building.
- d. The Redevelopment Agency approves as to form an Enabling Declaration Establishing a Plan for Condominium Ownership in the Public Administration Center (the "Condominium Declaration").
- e. The Redevelopment Agency approves and authorizes the Executive Director to execute a Memorandum of the Master Agreement to be recorded referencing the parking rights of the City and the County in the Tenth Street Place Garage as set forth in the Master Agreement.
- f. The Redevelopment Agency approves the Construction Staging Plan for the Tenth Street Place Project.

BE IT FURTHER RESOLVED that the Redevelopment Agency authorizes the Executive Director to make such changes in the final documents as the Executive Director, acting on the advice of the General Counsel, may require or approve.

BE IT FURTHER RESOLVED that the Redevelopment Agency finds and determines that the development of the Project Site in accordance with the Master Agreement, including the development of the Public Administration Center, the JPA Retail Parcel, the Public Garage, the Garage Retail parcel, the Public Plaza, the Service Area and other improvements related thereto, is covered by a program EIR (#90021233) certified by Agency Resolution No. 27-91 on November 5, 1991, Council Resolution No. 91-673 on November 5, 1991, a Final Supplemental Environmental Impact Report relating to the Plaza Project, certified by Agency Resolution No. 17-94 on December 27, 1994, approved by Council Resolution No. 94-750, and an Addendum to Supplemental Environmental Impact Report relating to the Plaza Project,

certified by Agency Resolution No. 19-96 on November 19, 1996, approved by Council Resolution No. 96-635 on November 19, 1996, (collectively, the "Prior EIRs") and that the Project incorporates all applicable mitigation measures identified in said Council Resolution Nos. 91-673, 94-750, and 96-635 to reduce environmental impacts to less than a significant level except for the loss of the Covell Hotel, and as to such mitigation measures and environmental impacts, the City Council hereby adopts and incorporates by reference herein, to the extent applicable to the Project, those CEQA Findings, mitigation measures, monitoring plan and Statement of Overriding Considerations set forth in said Resolution Nos. 91-673, 94-750, and 96-635. The Redevelopment Agency further finds that the project, including the development of the Project Site, is within the scope of the Prior EIRs and that no additional environmental impact report or other environmental analysis is required because: (a) the Master Agreement does not propose subsequent changes in the project which will require major revisions to the Prior EIRs; (b) substantial changes have not occurred with respect to the circumstances under which the Master Agreement will be implemented which will require major revisions in the Prior EIRs; and (c) there is no new information available which was not known or could not have been known at the time the Prior EIRs were certified as complete.

The foregoing resolution was introduced at a regular meeting of the Modesto Redevelopment Agency held on the 12th day of August, 1997, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 30-97

A RESOLUTION APPROVING THE ADDITIONAL ALLOCATION OF \$50,000.00 FROM THE 1997 CITY OF MODESTO REDEVELOPMENT AGENCY LOW AND MODERATE INCOME HOUSING FUND TO ASHWOOD VILLAGE L.P. FOR THE PURPOSE OF INSTALLING A FIRE SPRINKLER SYSTEM AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDED LOAN DOCUMENTS.

WHEREAS, this project is a 120-unit affordable housing project at the corner of Lou Ann and Rumble roads in Northeast Modesto, California, and

WHEREAS, the City of Modesto, through the HOME program, and the City of Modesto Redevelopment Agency ("RDA"), through the *Low and Moderate Income Housing Fund*, have already committed a total of \$1 million to this project, and

WHEREAS, financing of this project is being provided by the City of Modesto, the RDA, the California Housing Finance Agency ("CHFA"), 4% tax credits, an Affordable Housing Program grant and owner equity, and

WHEREAS, additional required improvements, consisting of a sprinkler system and a swimming pool, were discovered after the project received both its interim and permanent financing commitments, and

WHEREAS, the project currently meets State standards for fire sprinkler requirements, and

families residing in high-density residential projects and is in the process of amending its Municipal Code to enhance the requirements for fire sprinkler systems in projects of this size and density, and

WHEREAS, the Fire Department has recommended and staff is supporting the installation of a fire sprinkler system in this project,

NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Agency of the City of Modesto finds as follows:

1. That an additional \$50,000.00 be allocated from the 1997 City of Modesto Redevelopment Agency Low and Moderate Income Housing Fund to Ashwood Village L.P. for the purpose of installing a fire sprinkler system.
2. That the Executive Director is authorized to execute the amended loan documents effectuating the allocation of an additional \$50,000.00 to Ashwood Village L.P. for the purpose of installing a fire sprinkler system.

Redevelopment Agency of the City of Modesto held on the 26th day of August,
1997, by Agency Member McClanahan, who moved its adoption, which motion being duly
seconded by Agency Member Dobbs, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, McClanahan,
Serpa, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 31-97

A RESOLUTION APPROVING AN AGREEMENT WITH ROBERT GONZALEZ DONAHUE FOR COMPENSATION FOR LEASEHOLD INTEREST, PROPERTY, LOSS OF GOODWILL AND RELOCATION ASSISTANCE FOR PROPERTY NEEDED FOR TENTH STREET PLACE PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement with Robert Gonzalez Donahue for compensation for leasehold interest, property, loss of goodwill and relocation assistance for property needed for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 26th day of August, 1997, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Chairman Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Chairman Lang
NOES: Agency Members: None
ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

REDEVELOPMENT AGENCY
RESOLUTION NO. 32-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND C&B PARTNERS AND THE ALLEN R. GRANT AND CAROLYN M. GRANT FAMILY, 1996 TRUST, FOR THE ACQUISITION OF APN 105-42-15 FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and C&B Partners and the Allen R. Grant and Carolyn M. Grant Family, 1996 Trust for the acquisition of APN 105-42-15 for the Tenth Street for a total cost of \$486,800.00 project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 23rd day of September, 1997, by Agencymember Cogdill, who moved its adoption, which motion being duly seconded by Agencymember Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang
NOES: Agencymembers: None
ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

REDEVELOPMENT AGENCY
RESOLUTION NO. 33-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND WILLIAM V. AND MARY A. FONTANA, FOR THE ACQUISITION OF APN 105-42-14 FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and William V. and Mary A. Fontana for the acquisition of APN 105-42-14 for the Tenth Street for a total cost of \$350,000.00 project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 23rd day of September, 1997, by Agencymember Cogdill, who moved its adoption, which motion being duly seconded by Agencymember Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: Fisher, McClanahan

ATTEST:

Jean Adams
JEAN ADAMS, Secretary

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AN AGREEMENTS WITH 26 APPLICANTS FOR PARTICIPATION IN THE FACADE IMPROVEMENT REBATE PROGRAM

WHEREAS, the Redevelopment Agency authorized staff to implement the Facade Improvement Program - FY 1997-98 in the amount of \$100,000; and

WHEREAS, there is a carry-over from the 1996-97 Program, bringing the total available for 1997-98 to \$112,494.26; and

WHEREAS, a total of 26 projects were selected by the Design Committee of the Redevelopment Commission and reviewed and approved by the Redevelopment Commission, as shown on the list attached hereto and made a part thereof; and

WHEREAS, Resolution 35-97 was adopted separately authorizing the Executive director to sign an agreement for property located at 1214-1220 H Street, shown as Item No. 15, due to Councilmember McClanahan's absence for conflict of interest.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is authorized to sign agreements with the remaining 25 applicants for participation in the Facade Improvement Rebate Program.

BE IT FURTHER RESOLVED that the execution of said agreements by the designated Agency official be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 21st day of October, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: None

ATTEST: Jean Adams
JEAN ADAMS, Agency Secretary

Item	Site Location	Owner/Applicant	Description of work	Total Project (\$)	Rebate/Agcy. Rebate
1	801 8th Street	Bill Mulliniks	Windows; Exterior tile; Paint; Doors	\$12,810.00	\$6,000.00
2	813 8th Street	Bill Mulliniks	Doors; Windows; Stucco	\$7,279.00	\$3,000.00
3	1208 9th Street	Bill Rutter	Paint; Awning; Signage; Landscaping	\$13,385.00	\$5,000.00
4	90710th Street	Francisco Jauregui	Signage; Lighting; Paint	\$1,900.00	\$500.00
5	1008 12th Street	Jean Griffin	Paint	\$3,700.00	\$1,850.00
6	1016-1018 13th St	Loeb Investment	Paint	\$2,375.00	\$1,000.00
7	529 14th Street	Calif Equity Mngmt	Stucco; Paint; Windows; Awnings; Ramps	\$52,055.00	\$6,000.00
8	110-112 15th Street	Don Lee	Paint	\$22,939.00 Total for 3 properties	\$10,000.00 Total rebate for 3 properties
9	1505-1521 K Street	Don Lee	Paint		
10	310-318 Needham	Don Lee	Paint; Awning; Doors; Windows		
11	601 16th Street	Randall Hayashi	Stucco; Windows; Landscaping; Doors; Parking	\$60,317.00	\$8,000.00
12	731 B Street	All Star Gas Corp	Paint	\$3,700.00	\$1,700.00
13	1200 F Street	William Han	Awnings; Landscaping; Exterior door replacement	\$10,067.00	\$2,400.00
14	601-611 H Street	Townsend Opera	Awnings; Paint; Windows; Doors; Lighting	\$46,244.00	\$10,000.00
15	1214-1220 H St	Alfred Sarina	Stucco; Awning; Paint	\$13,261.00	\$5,000.00
16	1222-1230 H St	Fred Stellato	Paint (Work is completed)	\$5,800.00	\$1,000.00
17	715 I Street	William Hughes	Paint; Signage	\$6,450.00	\$3,200.00
18	1402 I Street	Calif Art League	Awnings	\$5,044.00	\$2,500.00
19	1201-1211 J Street	Jean Griffin	Remodel store front; Paint; Stucco	\$67,750.00	\$10,000.00
20	1307 J Street	Downtown Arts Project	Add Neon exterior trim to State Theatre	\$6,000.00	\$2,500.00
21	1511 J Street	Bill Rutter	Paint; windows; Doors; Planters	\$11,577.00	\$2,100.00
22	125 Maze Blvd	Duvan Luu	Paint; Signage; Landscaping	\$14,059.00	\$4,000.00
23	201 Maze Blvd	Maze Animal Hosp	Paint; Signage; Landscaping	\$48,000.00	\$10,000.00

Item	Site Location	Owner/Applicant	Description of work	Total Project \$\$	Rebate/Agy. Rebate
24	125 Tuolumne Blvd	Collins Electrical	Parking lot; Awnings; Lighting	\$20,688.00	\$4,500.00
25	1029 9th Street	Richard Lara	Paint; Concrete; Landscaping	\$19,325.00	\$5,000.00
26	1214-16 K Street	Wes Trana	Exterior door; Paint	\$4,849.00	\$2,000.00
Total Cost Summary:				\$459,574.00	\$107,250.00

ALTERNATE PROJECTS: Note: Should additional funds become available, these alternate projects are approved to receive additional funds as noted.

	Site Location	Owner	Description of work	Total Project \$\$	Rebate \$\$
1	1020 13th Street	Calif Equity Mngmt	Stucco; Granite; Paint; Remodel	\$81,470.00	\$10,000.00
2	125 Tuolumne Blvd	Gini, Eugene	Parking lot; Awnings; Lighting	\$20,688.00	\$4,000.00
3	601 16th Street	Randall Hayashi	Stucco; Windows; Landscaping; Doors; Parking	\$60,317.00	\$2,000.00
4	1511 J Street	Bill Rutter	Paint; windows; Doors; Planters	\$11,577.00	\$3,000.00

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AN AGREEMENT WITH APPLICANT FOR PARTICIPATION IN THE FACADE IMPROVEMENT REBATE PROGRAM

WHEREAS, the Redevelopment Agency authorized staff to implement the Facade Improvement Program - FY 1997-98 in the amount of \$100,000; and

WHEREAS, there is a carry-over from the 1996-97 Program, bringing the total available for 1997-98 to \$112,494.26; and

WHEREAS, a total of 26 projects were selected by the Design Committee of the Redevelopment Commission and reviewed and approved by the Redevelopment Commission, as shown on the list attached hereto and made a part thereof; and

WHEREAS, Councilmember McClanahan was absent due to conflict of interest on Item No. 15, property located at 1214-1220 H Street; and

WHEREAS, Res. 34-97 was adopted by the Redevelopment Agency approving 25 of the 26 projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is authorized to sign an agreement with applicant for participation in the Facade Improvement Rebate Program, for property located at 1214-1220 H Street.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Agency official be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 21st day of October, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Fisher, Friedman, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Agency Secretary

Item #	Site/Location	Owner/Applicant	Description of Work	Total Project Cost	Rebate Amount
1	801 8th Street	Bill Mulliniks	Windows; Exterior tile; Paint; Doors	\$12,810.00	\$6,000.00
2	813 8th Street	Bill Mulliniks	Doors; Windows; Stucco	\$7,279.00	\$3,000.00
3	1208 9th Street	Bill Rutter	Paint; Awning; Signage; Landscaping	\$13,385.00	\$5,000.00
4	90710th Street	Francisco Jauregui	Signage; Lighting; Paint	\$1,900.00	\$500.00
5	1008 12th Street	Jean Griffin	Paint	\$3,700.00	\$1,850.00
6	1016-1018 13th St	Loeb Investment	Paint	\$2,375.00	\$1,000.00
7	529 14th Street	Calif Equity Mngmt	Stucco; Paint; Windows; Awnings; Ramps	\$52,055.00	\$6,000.00
8	110-112 15th Street	Don Lee	Paint		
9	1505-1521 K Street	Don Lee	Paint		
10	310-318 Needham	Don Lee	Paint; Awning; Doors; Windows		
11	601 16th Street	Randall Hayashi	Stucco; Windows; Landscaping; Doors; Parking	\$60,317.00	\$8,000.00
12	731 B Street	All Star Gas Corp	Paint	\$3,700.00	\$1,700.00
13	1200 F Street	William Han	Awnings; Landscaping; Exterior door replacement	\$10,067.00	\$2,400.00
14	601-611 H Street	Townsend Opera	Awnings; Paint; Windows; Doors; Lighting	\$46,244.00	\$10,000.00
15	1214-1220 H St	Alfred Sarina	Stucco; Awning; Paint	\$13,261.00	\$5,000.00
16	1222-1230 H St	Fred Stellato	Paint (Work is completed)	\$5,800.00	\$1,000.00
17	715 I Street	William Hughes	Paint; Signage	\$6,450.00	\$3,200.00
18	1402 I Street	Calif Art League	Awnings	\$5,044.00	\$2,500.00
19	1201-1211 J Street	Jean Griffin	Remodel store front; Paint; Stucco	\$67,750.00	\$10,000.00
20	1307 J Street	Downtown Arts Project	Add Neon exterior trim to State Theatre	\$6,000.00	\$2,500.00
21	1511 J Street	Bill Rutter	Paint; windows; Doors; Planters	\$11,577.00	\$2,100.00
22	125 Maze Blvd	Duvan Luu	Paint; Signage; Landscaping	\$14,059.00	\$4,000.00
23	201 Maze Blvd	Maze Animal Hosp	Paint; Signage; Landscaping	\$48,000.00	\$10,000.00

Item	Site Location	Owner/Applicant	Description of work	Total Project \$\$	Rebate \$\$
24	125 Tuolumne Blvd	Collins Electrical	Parking lot; Awnings; Lighting	\$20,688.00	\$4,500.00
25	1029 9th Street	Richard Lara	Paint; Concrete; Landscaping	\$19,325.00	\$5,000.00
26	1214-16 K Street	Wes Trana	Exterior door; Paint	\$4,849.00	\$2,000.00
Total Cost Summary:				\$459,574.00	\$107,250.00

ALTERNATIVE PROJECTS: Note: Should additional funds become available, these alternative projects are approved to receive additional funds as noted.

	Site Location	Owner	Description of work	Total Project \$\$	Rebate \$\$
1	1020 13th Street	Calif Equity Mngmt	Stucco; Granite; Paint; Remodel	\$81,470.00	\$10,000.00
2	125 Tuolumne Blvd	Gini, Eugene	Parking lot; Awnings; Lighting	\$20,688.00	\$4,000.00
3	601 16th Street	Randall Hayashi	Stucco; Windows; Landscaping; Doors; Parking	\$60,317.00	\$2,000.00
4	1511 J Street	Bill Rutter	Paint; windows; Doors; Planters	\$11,577.00	\$3,000.00

~~MODESTO REDEVELOPMENT AGENCY~~
RESOLUTION NO. 36-97

**A RESOLUTION AMENDING THE REDEVELOPMENT AGENCY BUDGET TO
REAPPROPRIATE FUNDS IN THE AMOUNT OF \$13,000 FOR THE FACADE
IMPROVEMENT PROGRAM FROM FISCAL YEAR 1996-97 TO FISCAL YEAR 1997-98 IN
ACCOUNT #908-140-1493-0489**

WHEREAS, the Redevelopment Agency has authorized the Facade Improvement Program for Fiscal Year 1997-98 in the amount of \$100,000; and

WHEREAS, during the 1996-97 Program, \$13,000 was not used and is being reappropriated to this year's funding for a total of \$113,000 for the 1997-98 Program.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the 1997-98 Annual Budget is hereby amended to reappropriate funds in the amount of \$113,000 to Account #908-140-1493-0489.

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 21st day of October 1997, by Agencymember Fisher, who moved its adoption, which motion being duly seconded by Agencymember Dobbs, was upon roll call carried and the resolution adopted by the following votes:

AYES: Agencymembers: Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Mayor Lang

NOES: Agencymembers: None

ABSENT: Agencymembers: None

ATTEST: Jean Adams
JEAN ADAMS, City Clerk

(seal)

APPROVED AS TO SUFFICIENCY:

By: Stan Feathers
STAN FEATHERS, Budget Officer

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 37-97

A RESOLUTION AUTHORIZING THE EXECUTIVE
DIRECTOR AND GENERAL COUNSEL TO TAKE CERTAIN
ACTIONS RELATING TO ENVIRONMENTAL MATTERS
AFFECTING THE REDEVELOPMENT AGENCY

WHEREAS, the Modesto Redevelopment Agency ("RDA") is a participant in the development of a project, known as "Tenth Street Place", which is bounded on four sides by Ninth, Eleventh, "J" and "K" Streets in the City of Modesto, and

WHEREAS, by means of environmental due diligence investigation, the RDA has recently been advised of certain facts which may result in negative economic impacts on both existing and future RDA projects, and

WHEREAS, RDA has determined that a need currently exists, and will exist for the foreseeable future, for prompt, effective action to be taken on RDA's behalf in order to minimize the negative economic consequences which may flow to RDA from the acts of others who may be responsible to some degree for environmental degradations resulting in such adverse impacts, and

WHEREAS, the RDA perceives the need to protect its interest, as above, by specifically confirming or conferring certain powers in respect of the above-referenced environmental issues on certain of its staff,

NOW, THEREFORE, BE IT RESOLVED, the RDA does hereby find, determine and enact as follows:

1. Both the Executive Director and the General Counsel of the RDA are instructed to retain and instruct appropriate outside counsel to deal with both insurance and enforcement/litigation matters as they may arise from time to time in connection with RDA's environmental concerns.
2. With respect to dealings with insurance companies of third parties, the Executive Director is hereby empowered to accept or reject settlements on behalf of the RDA in the sum of \$5 million or less.
3. The RDA Executive Director/General Counsel are authorized to initiate all prosecution, negotiation, claims, suits and other matters related to RDA's concern with environmental degradation, including but not limited to, attempts to remediate and/or receive compensation for degradations resulting from PCE, TCE, Stoddard Solvent, gasoline byproducts, asbestos as well as fees and costs expended by the RDA toward such recoupment, if possible.
4. The Executive Director is specifically authorized without further direction of the RDA to initiate correspondence, meetings, negotiations, clean up and abatement orders and any and all steps he may deem necessary, in consultation with the General Counsel, to successfully prosecute RDA's interest in both environmentally related remediation and compensation.
5. The Executive Director, in consultation with the General Counsel, is further authorized to initiate written and oral contacts with agencies of the State of California, as he may see fit, to seek information, negotiate, contract, and otherwise pursue the RDA's interest in connection with the environmental improvement of real property within the RDA.

proper and necessary costs associated with the appropriate prosecution of any or all of the above-specified duties.


The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 21st day of Oct., 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Fisher, Friedman, McClanahan, Serpa, Mayor Lang
NOES:	Agency Members:	None
ABSENT:	Agency members:	None

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: 
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 38-97

A RESOLUTION REQUESTING THE JOINT POWERS AGENCY TO CONSIDER STRUCTURING THE BID AND AWARD PROCESS WITH FLEXIBILITY WITH RESPECT TO THE OPTION OF SEPARATELY AWARDING A CONTRACT FOR CONSTRUCTION OF THE TENTH STREET PLACE PARKING GARAGE.

WHEREAS, Resolution No. 23-97 adopted by the Modesto Redevelopment Agency ("RDA") on July 22, 1997, approved a Master Agreement among the County of Stanislaus, the City of Modesto, the City-County Capital Improvements and Financing Joint Powers Agency ("JPA") and the RDA of the City of Modesto, and

WHEREAS, said Master Agreement provides for the development of a mixed-use project known as the Tenth Street Place Project located on certain real property within the City of Modesto, and

WHEREAS, the Master Agreement contains a statement that it is the intent to award a single contract and also provides that

"...the JPA, in its sole discretion, shall determine prior to the notice inviting bids for the construction of the improvements on the Project Site, either (a) to bid the construction of the Parking Garage and the Public Administration Center as separate contracts; or (b) to bid the Parking Garage as an add-alternate under one construction contract."

and

WHEREAS, the Executive Director of the RDA, by an Agenda Report dated October 29, 1997, recommended to the Agency the adoption of a resolution requesting that the JPA structure the bid and award process to allow maximum flexibility with respect to the

option of separately awarding a contract for construction of the Tenth Street Place Parking Garage, and a copy of said Agenda Report is on file in the office of the City Clerk, and

WHEREAS, the said Master Agreement does now provide the option to the JPA for a separate award, and

WHEREAS, said matter was considered by the RDA at its meeting held on November 4, 1997, and

WHEREAS, the RDA desires to provide for flexibility in the bidding process,

NOW, THEREFORE, BE IT RESOLVED that the RDA hereby requests the JPA to maintain maximum flexibility in its approach to the JPA option of separately awarding a contract for construction of the Tenth Street Place Parking Garage Project with respect to the JPA's preparation and final approval of the Notice Inviting Bids for the Project.

The foregoing resolution was introduced at a regular meeting of the Modesto Redevelopment Agency held on the 4th day of November, 1997, by Agency Member Serpa, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By 
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 39-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO REDEVELOPMENT AGENCY AND MARY GAURDIOLA DBA PITA HUT FOR RELOCATION COMPENSATION FOR PROPERTY ACQUIRED FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency of the City of Modesto and Mary Guardiola dba Pita Hut at 1024 Ninth Street for \$53,850 in relocation compensation for property acquired for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 12th day of November, 1997, by Agencymember Friedman, who moved its adoption, which motion being duly seconded by Agencymember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agencymembers: Cogdill, Dobbs, Friedman, Serpa, Mayor Lang
NOES: Agencymembers: None
ABSENT: Agencymembers: Fisher, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, City Clerk

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 40-97

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AN AGREEMENT BETWEEN THE CITY OF MODESTO AND PHIL RAY dba HONDA/KAWASAKI OF MODESTO FOR COMPENSATION FOR RELOCATION OF MR. RAY'S BUSINESS DUE TO THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is hereby authorized to negotiate relocation costs with Mr. Phil Ray for relocation of Honda/Kawasaki of Modesto in an amount not to exceed \$350,000, and is hereby approved.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 9th day of December, 1997, by Agency Member Serpa, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: Dobbs, Fisher, & McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Agency Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 41-97

A RESOLUTION AUTHORIZING THE PROPOSED DESIGN AND COST ESTIMATES, AND RECOMMENDING THAT THE CITY/COUNTY JOINT POWERS AGENCY PROCEED WITH BIDDING OF BLOCK A OF THE 10TH STREET PLACE PROJECT.

WHEREAS, over the past few months the Joint Powers Agency (JPA) and the Redevelopment Agency have been working on the technical approach documents in relation to the 10th Street Place Project, and

WHEREAS, under the design/build process being used for this project, the JPA's design team prepares these documents which provide the general design and specifications for the project, but they do not prepare the final construction drawings, and

WHEREAS, preparation of the final construction drawings, as well as the actual construction, is the responsibility of the design/build team awarded the project, and

WHEREAS, the technical approach documents are ready for approval, enabling the JPA to proceed with bidding the final construction document and construction of Block A of the project, and

WHEREAS, staff reports that the cost of construction based on the recommended final design has been estimated to be within the previously approved budget,

City of Modesto that it hereby approves the proposed design and cost estimates, and recommends that the City/County Joint Powers Agency proceed with bidding of Block A of the 10th Street Place project as recommended by staff.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 9th day of December, 1997, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Fisher, Friedman, Chairperson Lang

NOES: Agency Members: Serpa

ABSENT: Agency members: Dobbs, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Secretary

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 42-97

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AN IMPLEMENTATION AGREEMENT BETWEEN THE CITY OF MODESTO AND CIVIC PARTNERS FOR THE TENTH STREET PLACE PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is hereby authorized to sign an agreement between the Redevelopment Agency and Civic Partners for the Tenth Street Place project, and is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 9th day of December, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Fisher, Friedman, Serpa, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: Dobbs, McClanahan

ATTEST: Jean Adams
JEAN ADAMS, Agency Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 43-97

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LAW FIRM OF DALEY & HEFT FOR LEGAL SERVICES IN RELATION TO PCE ACTION, NOT TO EXCEED \$200,000

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the City of Modesto and the law firm of Daley & Heft for legal services in relation to PCE action, not to exceed \$200,000 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 9th day of December, 1997, by Agency Member McClanahan, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Fisher, Friedman, McClanahan, Serpa,
Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: Dobbs

ATTEST: Jean Adams
JEAN ADAMS, Agency Secretary

MODESTO REDEVELOPMENT AGENCY
RESOLUTION NO. 44-97

A RESOLUTION APPROVING AN AGREEMENT WITH PHIL RAY DBA HONDA/KAWASAKI OF MODESTO FOR COMPENSATION FOR LEASEHOLD INTEREST, PROPERTY, LOSS OF GOODWILL AND RELOCATION ASSISTANCE FOR PROPERTY NEEDED FOR TENTH STREET PLACE PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement with Phil Ray dba Honda/Kawasaki of Modesto for compensation for leasehold interest, property, loss of goodwill and relocation assistance for property needed for the Tenth Street Place project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 16th day of December, 1997, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Chairman Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Conrad, Friedman, Smith, Chairman Lang
NOES: Agency Members: Serpa
ABSENT: Agency Members: Dobbs, Fisher

ATTEST: Jean Adams
JEAN ADAMS, Secretary