

VI. IMPLEMENTATION PLAN

Section 33342(c) of the CRL requires that every redevelopment plan submitted by a redevelopment agency to the legislative body be accompanied by an Implementation Plan. The Implementation Plan describes the specific goals and objectives for the proposed project area, the specific projects proposed by the Agency (including a program of actions and expenditures proposed for the first five years of the redevelopment plan), and a description of how these projects will improve or alleviate the blighting conditions found in the project area.

A. Project Area Goals and Objectives

As described in Section II of this Report, the goals and objectives for the Project Area are as follows:

1. The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including, among others, (i) buildings in which it is unsafe or unhealthy for persons to live or work, buildings on land that, when subdivided or when infrastructure is installed, would not comply with community subdivision, zoning or planning regulations, and buildings that, when built, did not conform to the then-effective building, plumbing, mechanical, or electrical codes adopted by the applicable jurisdiction; (ii) factors that prevent or substantially hinder the economically viable reuse or capacity of buildings or areas; (iii) adjacent or nearby incompatible and uneconomic land uses; (iv) properties currently served by infrastructure that do not meet existing adopted utility or community infrastructure standards; (v) land containing materials or facilities that will have to be removed to allow for development such as runways and landing pads; and (vii) properties containing hazardous wastes.
2. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.
3. The re-planning, redesign, reuse and redevelopment of portions of the Project Area which are stagnant or improperly utilized.
4. The provision of opportunities for participation by owners and tenants in the revitalization of their properties.
5. The strengthening of the economic base of the Project Area by stimulating new investment and economic growth.
6. The creation of employment opportunities.
7. The provision of an environment for social and economic growth.
8. The expansion, preservation, and improvement of the community's supply of housing available to low- and moderate-income persons and families.

9. The installation of new or replacement of existing public improvements, facilities, and utilities in areas which are currently inadequately served with regard to such improvements, facilities, and utilities.

B. Projects and Programs For the First Five Years of the Redevelopment Plan

As described in Section IV of this Report, the Agency proposes a series of activities and programs designed to alleviate the blighting conditions in the Project Area. These include the following:

1. Acquisition and Disposition of Base Property

The reuse and redevelopment of the Project Area will be accomplished through the planned development of a mix of new uses on the Base. Existing buildings, equipment, utility systems and various other fixtures and furniture will be acquired by the Agency for reuse or disposal. The Agency intends to manage the disposition of land on the Base in order to facilitate orderly phased development of the Project Area. During the first five years, the Agency will initiate developer solicitation and disposition processes for a number of separate property interest owners.

Medium-High Density Residential Site

Disposition of an approximate 25-acre site to develop single-family and multi-family housing units at the northeast corner of the Tustin Legacy project (Parcel 33). Escrow is expected to close in Spring of 2003.

Low-Density Residential Site

Disposition of an approximate 38-acre property for development of detached single-family residential units (Parcel 34). Escrow is planned to close in the Fall of 2003.

Regional Retail Site

Tustin recently received responses to a Request for Proposals for the development of a regional retail project located in the vicinity of Jamboree Road and Barranca Parkway (Parcels 10 and 11). The Specific Plan/Reuse Plan authorizes up to 668,500 square feet of regional retail uses on this site. The preferred developer should be selected and plans to close escrow completed by early 2004. In addition, an approximate 30-acre option parcel will be retained by the City for potential expansion of the retail project.

Master Development Site

The 700+ acres of land that comprise the Master Development Site represent about half of the former MCAS Tustin property. The largest of the properties will be subject to selection of a qualified developer and then separate disposition of parcels within the Master Development Site based on a negotiated take-down of property which will accommodate a variety of uses. Plans for the Master Development Site will need to take into account the development of the adjacent properties and seek to create synergistic relationships with these sites through coordinated planning and financing, as appropriate.

Public Uses

About 83 acres of land along the west side of the former base within the Learning Village on Red Hill Avenue have been designated in the Specific Plan/Reuse Plan for institutional uses and will be conveyed to Orange County Community College and the Rancho Santiago Community College District. In addition, approximately 50 additional acres will be conveyed to the Tustin Unified School District for an approximately 40-acre high school and 10-acre elementary school. It is also anticipated that an additional 10-acre elementary school site will also be conveyed to the District by the Federal Department of Education.

Learning Village

An approximate 18-acre site within the Learning Village fronting on Redhill, north of the future Extension of Warner Avenue, will be marketed for sale and development.

Utility System and Building Furniture, Fixtures and Equipment

Utility Systems when not needed to support interim uses, will be abandoned and/or disposed of. Surplus building furniture, fixtures and equipment not needed for civilian reuse will also be disposed of.

Interim Leasing

It is expected that while awaiting development, interim leasing of land for agricultural uses and other uses will occur to offset caretaker and maintenance expenses.

2. *Infrastructure and Demolition*

a. Demolition/Clearance and Site Preparation

A considerable amount of demolition will be required to redevelop the Project Area including removal of runways and tarmac, demolition of obsolete and substandard buildings and residential units, and demolition of existing roadways and utility systems. During the first five years, and depending on available financial resources, Agency objectives include the clearance of specific parcels, the construction of public improvements and facilities, and the development of residential and commercial uses. More specifically, demolition, clearance and/or site preparation activities will be necessary on Specific Plan/Reuse Plan disposal parcel numbers 23, 24, 33, 34, 35 (residential sites), parcels 4, 5, 6, 8, 10, 11, 12, 14 and 25 (Commercial business and commercial retail sites); Parcels 40, 41, and 42 (infrastructure right-of-way areas); parcels 26, 27, 28 and 29 (Golf Village site); parcel 16 (Community Core site); parcels 1, 17, 30, 31, 32, 21, 22, 20, 1, 19, 19, 2, 18 (public use sites).

b. Public Improvements and Facilities

Existing roadway systems will be improved and/or extended and supplemented with new roadways. The existing utility systems, which will eventually be abandoned in place, will be initially supplemented and gradually replaced with new utility systems that will effectively serve the new mixed-use development in the Project Area. Community and recreational facilities will include parks, open space and other recreational facilities, school facilities and a fire station. During the first five years, and depending upon available financial resources, work is expected to begin on the following on-site roadway, off-site roads, utility systems, and other community and recreational facilities as follows:

On-Site Roadway Improvements

West Connector
N. Valencia – Redhill to Armstrong
N. Valencia – Armstrong to West Connector
Landsdowne
Edinger Avenue (partial)
Armstrong – Barranca to Warner
Armstrong – N. Valencia loop to Warner
Tustin Ranch Interchange
Severyns Road
N. Valencia Loop-West connector/Tustin Ranch Road
East Connector – Edinger to N. Valencia loop
Moffett-N. Valencia loop to Harvard
Mountain
N. Valencia loop-Tustin Ranch Road to Moffett
N. Valencia loop-Moffett to Warner
S. Valencia loop-Warner to Tustin Ranch Road
Warner-Redhill to Jamboree
Tustin Ranch Road – Warner to Barranca
Warner-Jamboree to Harvard
Redhill/Dyer
Tustin Ranch Road-N. Valencia loop to Warner
S. Valencia loop-Tustin Ranch Road to Armstrong
Widen Tustin Ranch Road
Widen Warner Road

**Off-Site Roadway EIS/EIR Traffic Mitigation/Dedications
All Electric Service Utilities Phases I – IV**

Gas Utilities – Phases I - IV
Telephone Utilities – Phases I – IV
Cable TV Utilities – Phases I – IV
Domestic and Reclaimed Water Utilities Phases I – IV
Sewer On-site utilities – Phases I – IV
Sewer Off-site - All

Telemetry On-site – Phase II through III
Storm Drains
Peters Canyon Channel
Barranca Channel
Santa Ana – Santa Fe Channel
San Joaquin Channel
Phases I – IV On-site Storm Drains

Community Facilities

Fire Station
Community Park Phase I and II
Neighborhood Parks (2)
Other facilities as needed and identified

3. Environmental Remediation

The majority of hazardous waste remediation will be initiated by the Navy. However, the Agency anticipates that Agency assistance may be needed to facilitate the timely removal of hazardous wastes or to abate unanticipated hazardous materials discovered after Navy cleanup. The Agency may also incur costs associated with the monitoring of remediation activity and the land use restriction covenants placed on portions of the Base by the Navy. During the first five years, expenditures would be limited to abatement of hazardous materials (primarily asbestos and lead-based paint) that impede the demolition and replacement of buildings and facilities in the Project Area. As the actual funding needs for these activities cannot be determined at this time, no funds have been allocated for environmental remediation. In the event environmental remediation is required, funds allocated for infrastructure and demolition could be used.

4. Housing Programs

a. Requirements of CRL Section 33334.2

Per Section 33334.2 of the CRL, the Agency will utilize 20 percent of the tax increment from the Project Area to increase, improve and preserve the community's supply of low- and moderate-income housing available to persons and families of low or moderate income and very low income households. Pursuant to provisions of the MCAS Tustin base closure legislation, the Agency may delay up to 50 percent of the required deposits into the housing set-aside fund in Years 1 through 10. The Agency will make the determination whether to delay deposits into the housing fund on an annual basis.

(1) Proportional Expenditures of Housing Fund Monies

The Project Area is subject to the Section 33334.4 requirement that the Agency expend Housing Fund monies in accordance with an income proportionality test and an age restriction proportionality test. These proportionality tests must be met every 10 years through the termination of the Project Area life. These tests do not have to be met on an annual basis.

(a) Very-Low and Low Income Housing Expenditures

The income proportionality test requires the Agency to expend Set-Aside funds in proportion to the housing needs that have been determined for the community pursuant to Section 65584 of the Government Code. The proportionality test used in this Implementation Plan is based on the most current RHNA prepared by SCAG and included in the City's Housing Element.²² Based on the 2000 RHNA, the City's minimum required allocation for very-low and low-income expenditures, and maximum moderate income housing expenditures at this time are approximately as follows:

Category	RHNA % Threshold (rounded)
Very-Low Income	At least 28%
Low Income	At least 35%
Moderate Income	No more 36%
Total	100%

Section 33334.4 requires that at least 28 percent of the Housing Fund monies dedicated to projects and programs be spent on housing for very-low income households. In addition, at least 35 percent of these funds must be spent on housing for low-income households, and no more than 36 percent of the funds can be spent on moderate-income households. However, the Agency is entitled to expend a disproportionate amount of the funds for very-low income households, and to subtract a commensurate amount from the low and/or moderate-income thresholds. Similarly, the Agency can provide a disproportionate amount of funding for low income housing by reducing the amount of funds allocated to moderate-income households. In no event can the expenditures targeted to moderate-income households exceed the established threshold amount.

The projected housing set-aside tax increment allocations based upon household income levels are shown in the following table (as an example).

5. Housing Funds by Income Levels

Unit Income Level	%	5-Year Housing Set-Aside Tax Increment Projections
Very Low	28%	\$314.3
Low	35%	\$393.4
Moderate	36%	\$390.1
Total	100	\$1,099

(000s omitted) Numbers may not add due to rounding.

²² City of Tustin General Plan, Housing Element, Jan 16, 2001, p. 32.

(b) Age Restricted Housing Expenditures

Section 33334.4 also requires that the Agency assist housing that is available to all persons, regardless of age, in at least the same proportion as the population under age 65 bears to the City's total population as reported in the most recent census of the United States Census Bureau. The 2000 Census indicates that 92.9 percent of the City's population is under 65 years of age. As such, at least 92.9 percent of the Agency expenditures on affordable housing projects must be spent to assist projects that do not impose age restrictions on the residents. The following summarizes the allocation of housing fund monies.

Age Category	%	5-Year Housing Set-Aside Tax Increment Projections
Senior	7% Max.	\$77
Unrestricted	93%	\$1,022
Total	100%	\$1,099

(000s omitted) Numbers may not add due to rounding.

(2) Transfer of Housing Funds to Other Providers

The Project Area is subject to the CRL provisions requiring the transfer of housing funds to other housing producers in the Tustin area in certain circumstances. Such transfers could possibly occur if the Housing Fund contained "excess surplus." Excess surplus means any unexpended and unencumbered amount in a Project Area's Housing Fund that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the Housing Fund during the project's preceding four fiscal years.

The Agency does not anticipate having an excess surplus during the current Implementation Plan cycle or throughout the subsequent remaining Project Area life.

a. **Requirements of Section 33414**

i. Replacement Housing

Per the requirements of Section 33413(a) of the CRL, whenever dwelling units housing persons and families of low- or moderate-income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project which is subject to a written agreement with the Agency or where financial assistance has been provided by the Agency, the Agency must rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, an equal number of replacement dwelling units which have an equal or greater number of bedrooms as those destroyed or removed at affordable housing costs within the territorial jurisdiction of the Agency. These units must be created within four years of the destruction of the original units.

The existing dwelling units in the Project Area are currently vacant. As military housing, these units have never been part of the general housing market since they have never been available

The existing dwelling units in the Project Area are currently vacant. As military housing, these units have never been part of the general housing market since they have never been available for occupancy by the general public. Therefore, the Agency does not anticipate that its activities during the first five years of the Plan will trigger the replacement housing requirements of Section 33413(a).

ii. Inclusionary Housing

Section 33413(b) imposes certain affordable housing production requirements on redevelopment project areas adopted on or after January 1, 1976. The production obligation is measured as a function of the new development or substantial rehabilitation of units within redevelopment project areas. A unit is defined to be substantially rehabilitated if the rehabilitation cost is greater than or equal to 25% of the after-rehabilitation value. The obligation is triggered irrespective of whether the units are developed or substantially rehabilitated by a redevelopment agency or private entities. The production requirements imposed by Section 33413 are as follows:

1. At least 30% of all new or substantially rehabilitated units developed by an agency shall be available at affordable housing costs to low- or moderate-income households. Not less than 50% of these units are required to be available to very-low income households. "Developed by an agency" means the units that an agency itself constructs or substantially rehabilitates.
2. At least 15% of the total of all new or rehabilitated units developed or substantially rehabilitated within a redevelopment project area, by public or private entities other than the redevelopment agency, shall be available at affordable housing costs to low- or moderate-income households. Not less than 40% of these units are required to be available to very-low income households.

The production requirements imposed by Section 33413 are cumulative, and they must be filled within a 10-year period beginning at the adoption of the Project Area's Implementation Plan.

It is anticipated that additional units will be developed or former military housing units will substantially rehabilitated within the Project Area over the course of the five-year period covered by this Implementation Plan. Based on the information currently available, it is anticipated that 2,760 units will be developed or substantially rehabilitated over this period. The resulting inclusionary housing obligation is estimated as follows:

		15% of Total	
	Total	40% at Very Low	60% at Low/Mod.
Number of Units	2,760	166	250

6. Agency Administrative Program Support and Indirect Costs

The Agency will provide oversight and management for all redevelopment activities in the Project Area, including, but not limited to, coordination of the planning, marketing, and disposition of properties, management of infrastructure improvements, and the caretaking and maintenance of acquired assets.

C. Expenditures for the First Five Years of the Redevelopment Plan

As indicated in Table 2, the Agency anticipates expending \$237.7 million over the first five years on the programs and activities proposed for the Project Area. The majority of these expenditures will be for Infrastructure and Demolition on the Base.

Table 2 – Five Year Expenditure Plan (000s omitted)

	2003-04	2004-05	2005-06	2006-07	2007-08	Totals
Acquisition and Disposition*	-	-	-	-	-	-
Infrastructure & Demolition	\$16,482	\$36,597	\$59,191	\$46,928	\$40,555	\$199,753
Affordable Housing Programs	-	-	-	332	767	1,099
Administrative Support	6,716	8,110	8,676	7,234	6,151	36,887
Total Expenditures	\$23,198	\$44,707	\$67,867	\$54,494	\$47,473	\$237,739

*Agency expenditures for the disposition of property are included in Administrative Support.

D. How the Projects and Programs and Expenditures Will Alleviate Blight in the Project Area.

The Project Area is characterized by a number of blighting conditions including:

- Buildings in which it is unsafe or unhealthy for persons to live or work.
- Factors that prevent or substantially hinder the economically viable reuse or capacity of buildings or areas.
- Incompatible adjacent and nearby uses
- Buildings on land that, when subdivided or when infrastructure is installed, would not comply with community subdivision, zoning, or planning regulations.
- Properties currently served by infrastructure that does not meet existing adopted utility or community infrastructure standards and the existence of inadequate public improvements, public facilities and utilities that cannot be remedied by private or government action, without redevelopment
- Buildings that when built, did not conform to the then-effective building, plumbing, mechanical or electrical codes
- Land that contains materials or facilities that would have to be removed to allow development

- Properties that contain hazardous wastes

The programs proposed are intended to eliminate or alleviate these conditions and encourage private investment in the Project Area. The demolition of buildings that are deteriorated, or in need of major repairs or upgrading, will remove those buildings in which it is unsafe or unhealthy for persons to live or work. Similarly, the demolition of such buildings, buildings that are too small and too large for effective reuse, and the removal and replacement of inadequate infrastructure and utilities will alleviate the conditions that prevent or substantially hinder the economically viable reuse and capacity of areas on the former Base. Removal of these buildings, facilities and infrastructure will also eliminate incompatible adjacent or nearby uses such as the presence of military or aircraft-related uses that are now obsolete, but that would prevent the effective reuse and development of non-military uses in the Project Area. The infrastructure on the former Base does not meet existing adopted utility and infrastructure standards. Demolition and construction of new utilities, streets and other infrastructure will alleviate these conditions and allow the redevelopment of the former Base. The demolition program will also allow the removal of buildings that may not have conformed to the codes in effect at the time they were constructed and that do not conform to current codes either. Much of the land in the Project Area contains aircraft-related facilities, runways, taxiways and aprons, and other specialized military uses. Removal of these facilities and materials will allow the development of the Project Area in accordance with the Specific Plan/Reuse Plan. A matrix illustrating the relationship between the programs and expenditures proposed and the blighting conditions found in the Project Area is included as Exhibit 18.

EXHIBIT 18

RELATIONSHIP BETWEEN GOALS & OBJECTIVES, PROJECTS & PROGRAMS, AND BLIGHT ELIMINATION

PROPOSED REDEVELOPMENT PROGRAMS	GOALS & OBJECTIVES										BLIGHTING CONDITIONS						
	Eliminate Blight/Environmental Densities	Assemble Land into Parcels for Development	Redevelop/Reuse Stagnant or Improperly Utilized Areas	Revitalization Opportunities for Owners & Tenants	Strengthen Economic Base/Stimulate New Investment & Economic Growth	Create Employment Opportunities	Provide Environment for Social & Economic Growth	Increase Supply of Affordable Housing	Replace Inadequate Public Improvements, Facilities & Utilities	Unsafe/Unhealthy Buildings	Factors That Hinder Economically Viable Use	Adjacent/Nearby Incompatible Uses	Buildings on Land That When Subdivided Would Not Meet Local Regulations	Inadequate Infrastructure & Public Improvements	Buildings That Did Not Conform to Codes Effective When Built	Facilities That Must Be Removed to Allow Development	Hazardous Wastes
Acquisition & Disposition Program	X	X	X	X	X	X	X		X		X	X	X	X			
Public Improvements & Facilities	X		X		X	X		X						X			
Demolition/Site Clearance	X	X	X		X	X	X	X			X	X	X	X	X		
Economic Development			X		X	X											
Environmental Remediation	X	X				X				X						X	
Housing Programs		X															
Admin. Program Support & Indirect Costs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

VII. METHOD OR PLAN FOR RELOCATION

Section 33352(f) of the CRL requires that the Agency's Report to the City Council contain a "Method or Plan" for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the project area, which...shall include the provision required by Section 33411.1.

Section 33411 of the CRL requires the Agency to prepare a feasible "method or plan" for relocation of families or persons to be temporarily or permanently displaced from housing facilities in the Project Area, and for nonprofit local community institutions to be temporarily or permanently displaced from facilities actually used for institutional purposes in the Project Area. Section 33411.1 requires the legislative body to insure that "...such method or plan of the agency...shall provide that no persons or families of low- and moderate- income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwelling. The agency shall not displace such person or family until such housing units are available and ready for occupancy."

This Method or Plan for Relocation is not intended to be a "Relocation Plan" within the meaning of Section 6038 of the "Relocation Assistance and Real Property Acquisition Guidelines" promulgated by the California Department of Housing and Community Development (California Code of Regulations, Division 1 of Title 25, commonly called the "State Guidelines"). As described below, a Section 6038 Relocation Plan is not prepared until the Agency initiates negotiations for the acquisition of real property and prior to proceeding with any phase of a public improvement or facility project or other implementation activity that would result in any displacement other than an insignificant amount of non-residential displacement.

The existing housing units on the former Base were occupied by military personnel and their families, and have been vacant since the closure of the Base in 1991. Therefore, the existing housing units in the Project Area are not and have never been available for occupancy by the general public. Thus the Agency has no plans to displace any persons or families from housing units in the Project Area. However, given that the Plan will have a 30-year duration, there may be a need to displace persons or families at some time in the future. Although not anticipated, there may also be a need to temporarily or permanently displace a local community nonprofit institution in the future. Therefore the following paragraphs are provided to describe the Agency's plans to comply with the requirements of Section 33411 of the CRL.

A. Agency Displacement

The Agency anticipates that its programs of land assembly and upgrading and installation of public improvements and facilities needed within the Project Area will provide an incentive for future owners and the private sector to develop or redevelop vacant, underutilized and blighted properties and to achieve the goals and objectives for the redevelopment of the Project Area. To the extent that the Agency acquires occupied property for land assembly or other purposes in the future, or enters into agreements with future owners, developers, or others under which occupants will be required to move, the Agency will cause or will be responsible, to the extent provided by law, for causing such displacement of occupants. The Agency is not responsible for any displacement, which may occur as a result of private development activities not directly assisted by the Agency under a disposition and development, participation, or other such agreement.

B. Relocation in the Event of Agency Displacement

Displacement of businesses or tenants may occur under Agency programs and activities over the 30-year life of the Redevelopment Plan. Should such displacement occur, the Agency will provide persons, families, business owners and tenants displaced by Agency activities with monetary and advisory relocation assistance consistent with the California Relocation Assistance Law (State Government Code, Section 7260 et seq.), the State Guidelines adopted and promulgated pursuant thereto, the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Section 4601 et. seq.), appropriate Federal Guidelines, and the provisions of the Redevelopment Plan for the Southwest Redevelopment Project.

The Agency will pay all relocation payments required by State and Federal law. The following portions of this Method or Plan for Relocation outline the general relocation rules and procedures, which must be adhered to by the Agency in activities requiring the relocation of persons and businesses. Also identified below are the Agency determinations and assurances, which must be made prior to undertaking relocation activities. The Agency's functions in providing relocation assistance and benefits are also summarized.

C. Rules and Regulations

In connection with the preparation of a Relocation Plan adopted pursuant to Section 6038 of the State Guidelines, the Agency shall adopt rules and regulations that: (1) implement the requirements of California Relocation Assistance Law (Government Code, Chapter 16 of Division 7 of Title 1, commencing with Section 7260) (the "Act"); (2) are in accordance with the provisions of the State Guidelines; (3) meet the requirements of the California Community Redevelopment Law and the provisions of the Redevelopment Plans and (4) are appropriate to the particular activities of the Agency and not inconsistent with the Act or the State Guidelines.

D. Agency Determinations and Assurances

1. The Agency may not proceed with any phase of a project or other activity which will result in the displacement of any person or business until it makes the following determinations:
 - a. Fair and reasonable relocation payments will be provided to eligible persons as required by State and Federal law, the State Guidelines, Federal Guidelines, and Agency rules and regulations adopted pursuant thereto.
 - b. A relocation assistance advisory program offering the services described in the State Guidelines will be established.
 - c. Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures, provides for in the State Guidelines.
 - d. Based upon recent survey and analysis of both the housing needs of persons who will be displaced and available replacement housing, and considering

competing demands for that housing, comparable replacement dwellings will be available, or provided, if necessary, within a reasonable period of time prior to displacement sufficient in number, size and cost for the eligible persons who require them.

- e. Adequate provisions have been made to provide orderly, timely and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.
 - f. A Relocation Plan meeting the requirements of State law and the State Guidelines has been prepared.
2. No person shall be displaced until the Agency has fulfilled the obligations imposed by State and Federal law, the California Community Redevelopment Law, the Redevelopment Plan, the State Guidelines and the Agency rules and regulations.
 3. No persons or families of low- and moderate-income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and an otherwise standard dwelling. The Agency shall not displace such persons or families until such housing units are available and ready for occupancy.
 4. If any portion of the Project Area is developed by the Agency with low- or moderate-income housing units, the Agency shall require by contract or other appropriate means that such housing be made available for rent or purchase to the persons and families of low- and moderate-income displaced by Agency activities. Such persons and families shall be given priority in renting or buying such housing; provided, however, that failure to give such priority shall not affect the validity of title to real property.
 5. If insufficient suitable housing units are available in the community for low- and moderate-income persons and families to be displaced by the Agency from the Project Area, the City Council shall assure that sufficient land is made available for suitable housing for rental or purchase by low- and moderate-income persons and families. If insufficient suitable housing units are available in the City of Tustin for use by such persons and families of low- and moderate-income displaced by Agency activities within the Project Area, the Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation, or construction of housing units within the City.
 6. Permanent housing facilities shall be made available within four years from the time occupants are displaced by the Agency, and pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the City at the time of their displacement.

E. Relocation Assistance Advisory Program and Assurance of Comparable Replacement Housing

The Agency shall implement a relocation assistance advisory program, which satisfies the requirements of the State law and Article 2 of the State Guidelines and the Civil Rights Act. Such program shall be administered so as to provide advisory services which offer maximum assistance to minimize the hardship of displacement and to ensure that (a) all persons and families displaced from their dwellings are relocated into housing meeting the criteria for comparable replacement housing contained in the State Guidelines, and (b) all persons displaced from their places of business are assisted in reestablishing with a minimum of delay and loss of earnings. No eligible person shall be required to move from his/her dwelling unless adequate replacement dwelling is available to such person.

The following outlines the general functions of the Agency in providing relocation assistance advisory services. Nothing in this section is intended to permit the Agency to displace persons other than in a manner prescribed by law, the State Guidelines and the adopted Agency rules and regulations prescribing the Agency's relocation responsibilities.

F. Administrative Organization

1. Responsible Entity

The Agency is responsible for providing relocation payments and assistance to site occupants (persons, families, business owners and tenants) displaced by the Agency from the Project Area, and the Agency will meet its relocation responsibilities through the use of its staff and consultants, supplemented by assistance from local realtors and civic organizations.

2. Functions

The Agency's staff and/or consultants will perform the following functions:

1. Prepare a Relocation Plan as soon as possible following the initiation of negotiations for acquisition of real property by the Agency and prior to proceeding with any phase of a public improvement or facility project or other implementation activity that will result in any displacement other than an insignificant amount of non-residential displacement. Such Relocation Plan shall conform to the requirements of the Section 6038 of the State Guidelines. The Agency shall interview all eligible persons, business concerns, including non-profit organizations, to obtain information upon which to plan for housing and other accommodations, as well as to provide counseling and assistance needs.
2. Provide such measures, facilities or services as needed in order to:
 - a. Fully inform persons eligible for a parcel of land as to the availability of relocation benefits and assistance and the eligibility requirements therefor, as well as the procedures for obtaining such benefits and assistance, in accordance with the requirements of Section 6046 of the State Guidelines.

- b. Determine the extent of the need of each such eligible person for relocation assistance in accordance with the requirements of Section 6048 of the State and Federal Guidelines.
- c. Assure eligible persons that within a reasonable period of time prior to displacement there will be available comparable replacement housing meeting the criteria described in Section 6008(c) of the State Guidelines, sufficient in number and kind for and available to such eligible persons.
- d. Provide current and continuing information on the availability, prices and rentals of comparable sales and rental housing, and of comparable commercial properties and locations, and as to security deposits, closing costs, typical down payments, interest rates, and terms for residential property in the area.
- e. Assist each eligible person to complete applications for payments and benefits.
- f. Assist each eligible, displaced person to obtain and move to a comparable replacement dwelling.
- g. Assist each eligible person displaced from his/her business in obtaining and becoming established in a suitable replacement location.
- h. Provide any services required to insure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, marital status or other arbitrary circumstances.
- i. Supply to such eligible persons information concerning federal and state housing programs, disaster loan and other programs administered by the Small Business Administration, and other federal or state programs offering assistance to displaced persons.
- j. Provide other advisory assistance to eligible persons in order to minimize their hardships. As needed, such assistance may include counseling and referrals with regard to housing, financing, employment, training, health and welfare, as well as the assistance.
- k. Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the Project, which policies shall be in accordance with the provisions of Section 6058 of the State Guidelines.
- l. Notify in writing each individual tenant and owner-occupant to be displaced at least 90 days in advance prior to requiring a person to move from a dwelling or to move a business.
- m. Coordinate the Agency's relocation assistance program with the project work necessitating the displacement and with other planned or proposed activities of

other public entities in the community or other nearby areas which may affect the implementation of its relocation assistance program.

3. Information Program

The Agency shall establish and maintain an information program that provides for the following:

- a. Within 60 days following the initiation of negotiations and not less than 90 days in advance of displacement, except for those situations described in subsection 6042(e) of the State Guidelines, the Agency shall prepare and distribute informational materials (in the language most easily understood by the recipients) to persons eligible for Agency relocation benefits and assistance.
- b. Conducting personal interviews and maintaining personal contacts with occupants of the property to the maximum extent practicable.
- c. Utilizing meetings, newsletters and other mechanisms, including local media available to all persons, for keeping occupants of the property informed on a continuing basis.
- d. Providing each person written notification as soon as his/her eligibility status has been determined.
- e. Explaining to persons interviewed the purpose of relocation needs survey, the nature of relocation payments and assistance to be made available, and encouraging them to visit the relocation office for information and assistance.

4. Relocation Record

The Agency shall prepare and maintain an accurate relocation record for each person to be displaced as required by the State of California.

5. Relocation Resources Survey

The Agency shall conduct a survey of available relocation resources in accordance with Section 6052 of the State Guidelines.

6. Relocation Payments

The Agency shall make relocation payments to or on behalf of eligible displaced persons in accordance with and to the extent required by State and Federal law, Article 3 of the State Guidelines and appropriate Federal Guidelines.

a. Temporary Moves

Temporary moves would be required only if adequate resources for permanent relocation sites are not available. Staff shall make every effort to assist the site occupant in obtaining permanent relocation resources prior to initiation of a temporary move, and then only after it is determined that Agency activities in the Project Area will be seriously impeded if such move is not performed.

b. Last Resort Housing

The Agency shall follow State law and the criteria and procedures set forth in Article 4 of the State Guidelines for assuring that if the Agency action results, or will result in displacement, and comparable replacement housing will not be available as needed, the Agency shall use its funds or fund authorized for the Project to provide such housing.

c. Eviction Policy

Eviction for cause is permissible only as a last resort and must conform to state and local law. If a person is evicted for cause on or after the effective date of a notice of displacement issued, displaced persons retain the right to the relocation payments and other assistance for which they may be eligible.

d. Grievance Procedures

The Agency may adopt grievance procedures to implement the provisions of the State law and Article 5 of the State Guidelines. The purpose of the grievance procedures is to provide Agency requirements for processing appeals from Agency determinations as to the eligibility for, and the amount of a relocation payment, and for processing appeals from persons aggrieved by the Agency's failure to refer them to comparable permanent or adequate temporary replacement housing. Potential displaced persons will be informed by the Agency of their right to appeal regarding relocation payment claims or other decisions made affecting their relocation.

e. Relocation Appeals Board

The Redevelopment Agency of the City of Tustin shall act as the Appeals Board.