



December 7, 2017

U. S. Department of Housing and  
Urban Development  
451 Seventh Street, S.W.  
Washington, D.C. 20410

RE: Church Lane Apartments, PIC Development #CA011600000

Ladies/Gentlemen:

The City of San Pablo has been asked by the proponent of the above-referenced project (the "Project") to provide you with information concerning the applicability of the City's Redevelopment Plans to the Project. The Project is located within the boundaries of the Redevelopment Plan for the Tenth Township Redevelopment Project and the Redevelopment Plan for the Legacy Redevelopment Project. The Redevelopment Plans are, for the most part, charters of authority for the use of redevelopment powers and tools in the redevelopment areas by the former Redevelopment Agency of the City of San Pablo (the "former Redevelopment Agency").

In 2011, the California Legislature and Governor Brown acted to eliminate redevelopment in California (AB 1X 26, Stats. 2011, 1st Extraordinary Session), a decision that was upheld by the California Supreme Court (*California Redevelopment Association, et al. vs. Ana Matosantos, etc., et al.*, (2011) 53 Cal.4th 231). As a result, the former Redevelopment Agency was dissolved on February 1, 2012, and a successor agency was designated. The successor agency has no legal authority to participate in or undertake any redevelopment activities pursuant to the Redevelopment Plans (Health and Safety Code § 34173(g)) and its purpose is to expeditiously wind down the affairs of the former Redevelopment Agency (H&SC § 34177(h)), including, in particular, the repayment of indebtedness previously

incurred to carry out redevelopment and the disposal of all former Redevelopment Agency assets.

Although redevelopment activities are no longer authorized, the Redevelopment Plans (which were adopted by ordinance of the City) will continue in existence until their expiration (the Legacy Redevelopment Plan expires last on March 3, 2028). Their significance at this point is principally historical. While the Redevelopment Plans are also a land use tool, required to designate permitted land uses, both the Tenth Township and Legacy Redevelopment Plans defer to the City's General Plan and local land use regulations (Redevelopment Plans § 701 *et seq.*).

I hope this information is helpful in connection with your consideration of the Project. I would be happy to respond to any additional questions you may have concerning the applicability of the Redevelopment Plans or you may contact Special Counsel Nicole Murphy ((916) 444-6262 x 213 or [cnm@murphyassociatespc.com](mailto:cnm@murphyassociatespc.com)) as she has the historical knowledge of the City's Redevelopment Plan and expertise in the area of California redevelopment law.

Sincerely yours,



Lynn Tracy Nerland  
City Attorney

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