



LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

March 5, 2007

REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach
California

RECOMMENDATION:

Recommendation to approve the Relocation Plan; and, adopt a Resolution for a Replacement Housing Plan for 1440 Temple Avenue. (Central – District 6)

DISCUSSION

The Central Long Beach Strategic Guide for Development has identified that the Central Long Beach Redevelopment Project Area is far under-served in terms of open space and park opportunities. In an effort to address this deficiency, staff in collaboration with the Department of Parks, Recreation and Marine, and the community, have worked closely together to identify open space opportunities throughout Central. One such project is the expansion of Orizaba Park.

To allow for the expansion of the Park, four properties were acquired by the Long Beach Redevelopment Agency (Agency). One of the properties is a single-family residence located at 1440 Temple Avenue (Exhibit A).

Under California State Law, a redevelopment agency removing housing units occupied by low- and moderate-income households must prepare a relocation plan that demonstrates the availability of housing for displaced households. The plan also describes the assistance that will be provided to displaced residents, including monetary compensation for moving and related expenses and for replacement housing. The relocation plan must also adopt a replacement housing plan that discusses how these housing units will be replaced within the community.

Attached as Exhibit B, is the relocation plan for the subject site. Also attached is a resolution that adopts the included replacement housing plan prepared for 1440 Temple Avenue. The replacement housing plan contains the following items:

- The number of dwelling units housing persons and families of low- or moderate-income to be removed and replaced by construction or rehabilitation;

The mission of the Long Beach Redevelopment Agency is to enhance the quality of life by improving blighted areas of Long Beach, revitalizing neighborhoods, promoting economic development, creating jobs, providing affordable housing and encouraging citizen participation.

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- The general location of housing to be rehabilitated, developed, or constructed pursuant to California Health and Safety Code Section 33413;
- An adequate means of financing such rehabilitation, development, or construction;
- The timetable for meeting the relocation, rehabilitation, and replacement housing objectives; and
- A finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution.

A summary of the current status of the Agency's replacement housing obligations is provided as part of the replacement housing plan. Both the relocation plan and the replacement housing plan have been available for public review and comment as required by law.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



 PATRICK H. WEST
EXECUTIVE DIRECTOR

PHW:CB:DSW:jr

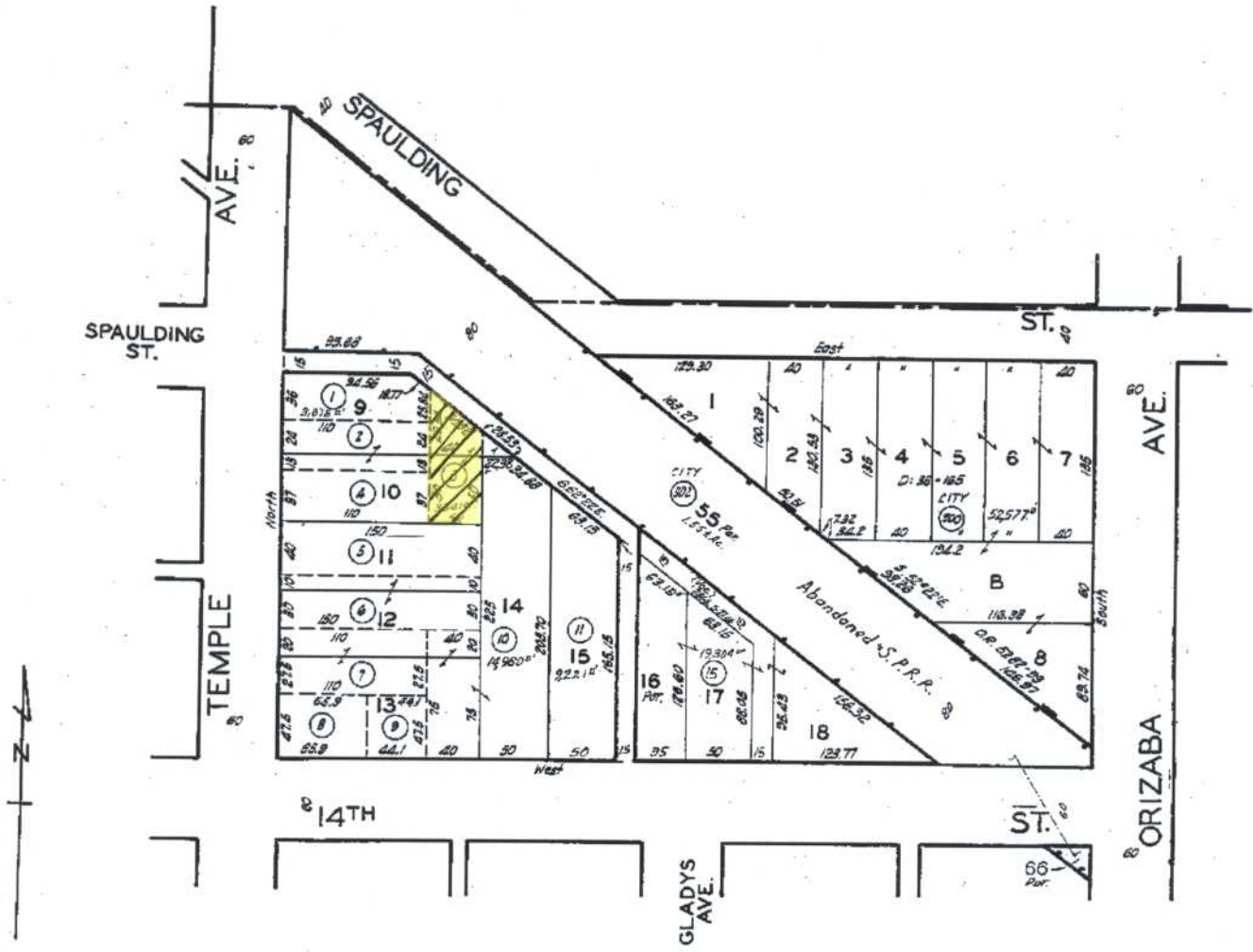
Attachments: Exhibit A –Site Map
 Exhibit B – Relocation Plan
 Resolution for Replacement Housing Plan

APPROVED:



GERALD R. MILLER
CITY MANAGER

Site Map





**O V E R L A N D
P A C I F I C &
C U T L E R , I N C .**

RELOCATION PLAN

FOR THE

ORIZABA PARK EXPANSION PROJECT

**OVERLAND, PACIFIC & CUTLER, INC.
100 WEST BROADWAY, SUITE 500
LONG BEACH, CA 90802
PHONE: (562) 304-2000**

JANUARY 22, 2007

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INTRODUCTION

The Long Beach Redevelopment Agency (the Agency) is in the process of acquiring a privately owned parcel at 1440 Temple Avenue in Long Beach for the Orizaba Park Expansion Project (the Project). The Project involves the acquisition of one improved land parcel consisting of approximately 3,500 square feet and the subsequent permanent relocation of one residential household. The proposed displacement triggers relocation assistance obligations under State Relocation Law - California Government Code Section 7260 et seq. (the Law) and the State Relocation Guidelines - California Code of Regulations, Title 25, Chapter 6 et seq. (the Guidelines). Among the various obligations of the Law is the requirement to prepare a relocation plan addressing the circumstances and needs of those persons potentially displaced by the Project.

The following Relocation Plan (the Plan) has been prepared by Overland, Pacific & Cutler (OPC) in accordance with the specific requirements set out in Section 6038 of the Guidelines concerning projects that involve the displacement of less than 15 households. This Plan provides the Project description, the results of a needs assessment survey conducted among residents, a housing resource study and details of the Agency's proposed relocation program.

A. PROJECT LOCATION

The proposed Project will take place in the City of Long Beach (the City) which is located in the southern portion of the County of Los Angeles, approximately 32 miles south of downtown Los Angeles. Long Beach is immediately accessible from the 710, 405 and 91 freeways. Adjacent communities include Lakewood, Seal Beach, Signal Hill, Wilmington, Paramount, Bellflower, Compton, Rancho Dominguez, Hawaiian Gardens, Carson, Rossmoor, and Los Alamitos. (See **Attachment 1**, Figure 1).

The specific Project site is located in the south-eastern portion of the City, at the corner of Temple Avenue and Spaulding Street and is generally bounded by East Spaulding Street on the north, Temple Avenue on the west, Orizaba Avenue on the east and East 14th Street on the south. (See **Attachment 1**, Figure 2).

B. ASSESSMENT OF NEEDS

Survey information for the Plan was obtained from individual, on-site interview conducted in late November 2006 with the affected residential household which provided their information and also verified income to determine their relocation assistance benefits.

The housing mix consists of one tenant occupied two-bedroom single-family dwelling, very small in size; according to the property title report the unit measures 512 square feet, however, some additions are likely since the title report calls for one bedroom only and the tenant survey revealed two bedrooms. Monthly rent, the surveyed household is obligated to pay, is \$1,100 for a two-bedroom detached house. Reported ethnicity of the tenant household is White and English their primary language.

According to income standards for the County of Los Angeles adjusted for family size as published by the United States Department of Housing and Urban Development (HUD) in March 2006, one Project household qualifies as low income (51%-80% of area median). There are no senior household members (62 years or older) nor members with disabilities that could affect the relocation process.

There is a total known Project population of three individuals, consisting of two adults and a child. The standard for housing density adopted by the Agency allows two persons per bedroom and one person in a common living area up to three bedrooms. The Agency adheres to the state building code occupancy standard based on the square footage of the dwelling for households larger than eight members. Based on these criteria as compared to available tenant data, there appear to be no overcrowding in the Project. Replacement housing referrals to the occupants will reflect the need for similarly sized accommodations.

Attachment 2 summarizes individual household characteristics and replacement housing needs. Prevailing HUD income standards as well as general demographic information for the City are presented in **Attachments 3 and 4**.

C. REPLACEMENT HOUSING RESOURCES

A housing resource survey was conducted to determine the availability of replacement housing within the City sufficient to meet the needs of Project residents. Single-family units were considered as appropriate replacement dwelling units if they were within a seven-mile radius from the Project site. The aggregate needs include:

- one two-bedroom single-family dwelling

Rental housing availability survey results are summarized below in **Table 1**. The data indicate sufficient availability of needed housing units to successfully relocate the potentially displaced household.

TABLE 1: Replacement Rental Housing Resources			
Bdrm Size/Type	Found (Needed)	Rent Range	Median
2/house	23 (1)	\$925-\$1,999	\$1,550

The median rent amount shown in the table above is among the figures used to make benefit and budget projections for the Plan. These amounts are, naturally, subject to change according to the market rates prevailing at the time of displacement. Project rent is approximately 30 percent less than respective median market rent for surveyed replacement units.

D. CONCURRENT RESIDENTIAL DISPLACEMENT

The City of Long Beach is currently involved in several small projects throughout the City necessitating residential displacement of up to 20 households at any given time. The proposed Orizaba Park Expansion Project will not likely compete for the available housing resources since there is an abundance of units currently on the market and it requires one replacement unit only.

E. TEMPORARY HOUSING

There is no anticipated need for temporary housing.

F. PROGRAM ASSURANCES AND STANDARDS

There are adequate funds available to relocate all occupants. Services will be provided to ensure that displacement does not result in different, or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability, or any other basis protected by the Federal Fair Housing Amendments Act; the Americans with Disabilities Act; Title VI of The Civil Rights Act of 1964; Title VII of The Civil Rights Act of 1964; Title VIII of The Civil Rights Act of 1968; and, the California Fair Employment & Housing Act; and the Unruh Act.

No household will be displaced without at least 90 days notice and unless comparable replacement housing can be located. Comparable housing includes standards such as: decent, safe and sanitary (as defined in § 6008[d] of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit, but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to proximity to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced household as defined in Section 6008, subdivision (c)(5) of the Guidelines.

The relocation program to be implemented by the Agency conforms with the standards and provisions set forth in Government Code section 7260 et seq., the Guidelines, California Health and Safety Code section 33410 et seq., if applicable, and all other applicable regulations and requirements.

G. RELOCATION ASSISTANCE PROGRAM

A relocation representative from OPC will assist the tenants to be displaced as a consequence of the Project. OPC staff will maintain personal contact with them until the relocation process has been completed. OPC maintains a toll-free phone number (800) 400-7356, which is attended to from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The relocation offices are located at:

**100 West Broadway, Suite 500
Long Beach, CA 90802**

A comprehensive relocation assistance program, offering both advisory assistance and financial benefits will be provided to the residents subject to displacement. Specific services will include:

- A. Distribution of informational brochures to residential tenants (**Attachment 5**);
- B. Timely referrals to at least three comparable replacement units and, if necessary, transportation will be provided to inspect potential replacement units; and
- C. Assistance with the completion, and filing of relocation claims, rental applications and appeal forms, if necessary.

H. RELOCATION BENEFIT CATEGORIES

Relocation benefits will be provided in accordance with the California Relocation Assistance Law; the Guidelines; and, other applicable regulations and requirements. Benefits will be paid upon submission of required claim forms and documentation in accordance with approved procedures. The Agency will provide appropriate benefits for each displaced household as required by the above-referenced laws and requirements.

1. Residential Moving Expense Payments

The subject household will be eligible to receive a payment for moving expenses. Payments will be made based upon either a fixed room count schedule, or an invoice for actual reasonable moving expenses from a licensed professional mover.

- a. Fixed Payment - A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration (FHA) schedules maintained by the California Department of Transportation (**See Fixed Payment Moving Schedule - Attachment 6**).

- OR -

- b. Actual Reasonable Moving Expense Payments - The displaced households may elect to have a licensed, professional mover perform the move; if so, the displacing entity will pay for the actual cost of the move, up to 50 miles, and all reasonable charges for packing, unpacking, insurance, and utility connection charges at the replacement location. The payment for moving will be made directly to the mover, or as reimbursement to the displaced household.

2. Rental Assistance/Downpayment Assistance

Residential tenants who have established residency at the Project site for a minimum of 90 days prior to the initiation of negotiations to purchase the property and who choose to re-rent, may be eligible to receive a Rental Assistance Payment in addition to compensation for moving expenses. "Initiation of Negotiations" is defined as the first written offer by the Agency to buy the property from which the households will be displaced. In this case, the estimated date of the first written offer to purchase the property is August 10, 2006.

Rental Assistance Payments will be limited to a maximum of \$5,250, based upon the monthly housing need over a 42 month period, prior to consideration of Last Resort Housing needs. Eligible households may opt to apply the full amount of their rental assistance eligibility toward the purchase of a replacement dwelling.

3. Payments To Non-Tenured Residential Tenants

A residential tenant who has actually and lawfully occupied the displacement dwelling for less than 90 days immediately prior to the initiation of negotiations is entitled to receive a moving expense payment. Additionally, non-tenured residential tenants may qualify for a rental assistance payment under the provisions of Last Resort Housing assistance (see Last Resort Housing, following). Such assistance is authorized when comparable replacement housing is not available at rental rates within the tenant's financial means (30% of gross monthly household income). Last Resort Housing assistance to non-tenured households is based solely on income.

4. Last Resort Housing Payments

The displaced persons will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed total of their rental or replacement housing assistance eligibility exceeds either \$5,250 in the case of tenants or \$22,500 for owner-occupants or when a tenant or owner-occupant does not meet applicable occupancy requirements.

I. PAYMENT OF RELOCATION BENEFITS

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the Agency within 18 months from:

- i) the date the claimant moves from the acquired property; **or**,

- ii) the date on which final payment for the acquisition of real property is made, whichever is later.

Procedures for preparing, and filing of claims and processing and delivering of payments are attached (**Attachment 7**).

J. EVICTION POLICY

Eviction will only be undertaken as a last resort measure in cases of nonpayment of rent, serious violation of the rental agreement, a dangerous, or illegal act in the unit, or if the household refuses to act after having received reasonable referrals to comparable replacement housing. Eviction may affect the eligibility of a person otherwise entitled to relocation benefits.

K. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 of the Guidelines. Pursuant to this Section, displacees have the right to appeal determinations of eligibility, payment amounts and general relocation assistance services. A copy of the Agency's appeals policy and procedures is attached (**Attachment 8**).

L. PROJECTED DATES OF DISPLACEMENT

Households will receive a written 90 day notice-to-vacate before they are required to move. Relocation is expected to be completed by June 2007.

M. ESTIMATED RELOCATION COSTS

The Agency will use its own funds to underwrite the Project. Estimated relocation costs for the Project are **\$35,000**, including a 10% contingency. This figure does not include any provision for relocation administrative costs or other services which may be necessary to carry out the Project.

If the Project is implemented and circumstances arise that increase the Project budget, the Agency will authorize the expenditure of those additional funds necessary to meet its statutory relocation assistance obligations.

N. CITIZEN PARTICIPATION/PLAN REVIEW

This Plan will be provided to the affected households and be made available to the public for the 30-day review period. Comments regarding this Plan and the Agency's response will be included as a Plan Addendum (**Attachment 9**) prior to submission for approval before the Agency Board of Directors. A copy of the approved Plan will be forwarded to the California Department of Housing and Community Development (HCD).



TABLE OF ATTACHMENTS

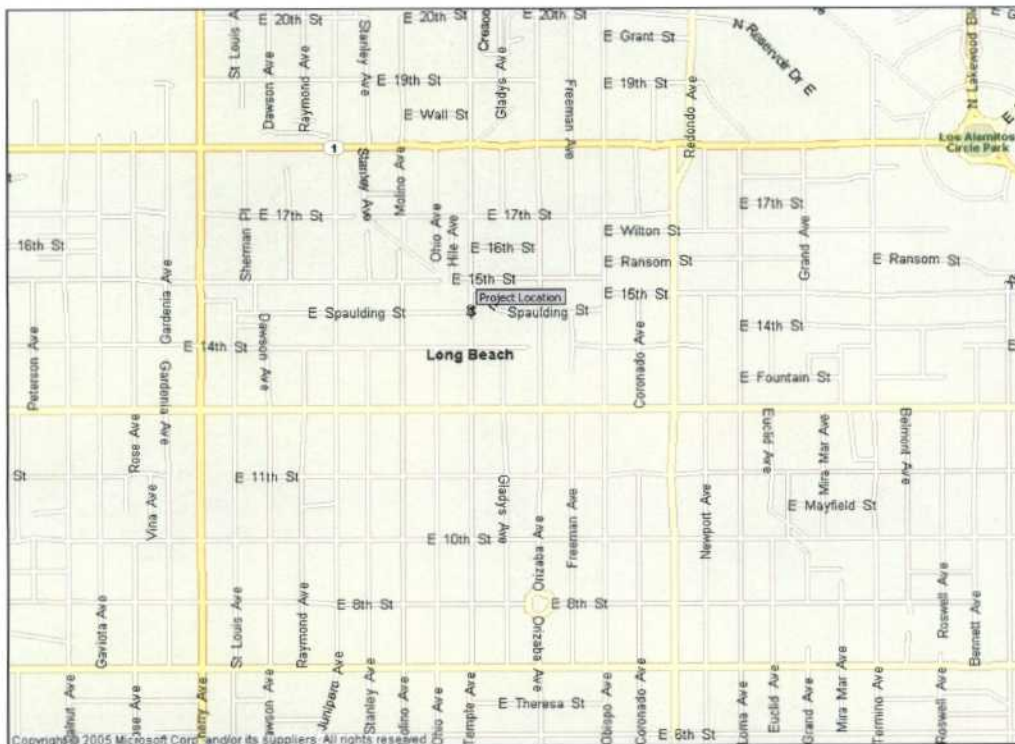
- Attachment 1:** Project Site Maps
- Attachment 2:** Household Characteristics and Needs
- Attachment 3:** Demographic Characteristics
- Attachment 4:** H.U.D. Annual Income Limitations - Los Angeles County (2006)
- Attachment 5:** Sample Informational Brochure for Displaced Households
- Attachment 6:** Fixed Payment Moving Schedule
- Attachment 7:** Procedures for Relocation Payments and Assistance
- Attachment 8:** Appeals Policy and Procedures
- Attachment 9:** Plan Addendum (Public Comments and Response)

ATTACHMENT 1 PROJECT SITE MAPS



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Map 1: Regional Project Location



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Map 2: Project Site Location

ATTACHMENT 2
RELOCATION PLAN: 1440 TEMPLE AVENUE - ORIZABA PARK EXPANSION PROJECT
HOUSEHOLD CHARACTERISTICS AND NEEDS

No	Income: Extremely Low, Very Low, Low, Moderate	Tenant Move-in Date	Number of Adults	Number and Ages of Children	Persons with Disability (Number)	Elderly Persons (Number)	Permanent or Temporary Displacement	Current Monthly Rent	Current Number of Bedrooms	Number of Bedrooms Required	Household Language
1	Low	02/06	2	1 (5)	0	0	Permanent	\$1,100	2	2	English

**ATTACHMENT 3
DEMOGRAPHIC CHARACTERISTICS**

2000 Census Population - City of Long Beach & Tract 5751.02				
Population	Tract 5751.02	%	City	%
Total Population	4,810	100.0%	461,522	100.0%
White	960	20.0%	204,410	45.2%
Black or African American	568	11.8%	68,618	14.9%
American Indian and Alaska Native	17	0.4%	3,881	0.8%
Asian	1,122	23.3%	55,591	12.0%
Native Hawaiian and Other Pacific Islander	32	0.7%	5,605	1.2%
Some Other Race	1,857	38.6%	95,107	20.6%
Two or More Races	254	5.3%	24,310	5.3%
Hispanic or Latino (of Any Race)	2,672	55.6%	165,092	35.8%

Source: U.S. Census Bureau; Race, Hispanic or Latino, and Age: 2000

2000 Census Housing Units - City of Long Beach & Tract 5751.02				
Type	Tract 5751.02	%	City	%
Total Units	1,286	100.0%	171,632	100.0%
Owner-Occupied	209	16.3%	66,928	39.0%
Renter-Occupied	1,002	77.9%	96,160	56.0%
Vacant Housing Units	75	5.8%	8,544	5.0%
Available for Sale Only (of Total Vacant Units)	17	22.7%	1,484	17.4%
Available for Rent - Full Time Occupancy (of Total Vacant Units)	40	53.3%	4,195	49.1%
Sold or Rented - Not Occupied	2	2.7%	683	8.0%
Otherwise Not Available (e.g. seasonal, recreational, migratory, occasional use)	3	4.0%	763	8.9%
Other Vacant	13	17.3%	1,419	16.6%

Source: U.S. Census Bureau; General Housing Characteristics: 2000

ATTACHMENT 4

**HUD ANNUAL INCOME LIMITATIONS - YEAR 2006
COUNTY OF LOS ANGELES, CALIFORNIA**

The following figures are approved by the U.S. Department of Housing and Urban Development (HUD) for use in the **County of Los Angeles** to define, and determine housing eligibility by income level, for the year 2006.

Area Median: \$56,200					
Family Size	Extremely Low Income	Very Low Income	Low Income	Median Income	Moderate Income
1 Person	14,550	24,250	38,800	39,300	47,200
2 Person	16,650	27,700	44,350	45,000	53,900
3 Person	18,700	31,200	49,900	50,600	60,700
4 Person	20,800	34,650	55,450	56,200	67,400
5 Person	22,450	37,400	59,900	60,700	72,800
6 Person	24,150	40,200	64,300	65,200	78,200
7 Person	25,800	42,950	68,750	69,700	83,600
8 Person	27,450	45,750	73,200	74,200	89,000

Figures are per the California State Department of Housing & Community Development, Division of Housing Policy Development, promulgated **March 8, 2006**.

ATTACHMENT 5

**SAMPLE INFORMATIONAL BROCHURE
FOR
DISPLACED HOUSEHOLDS**

INFORMATIONAL STATEMENT FOR FAMILIES AND INDIVIDUALS

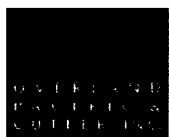
- I. GENERAL INFORMATION
- II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING
- III. MOVING BENEFITS
- IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS
- V. SECTION 8 TENANTS
- VI. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS
- VII. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS
- VIII. LAST RESORT HOUSING ASSISTANCE
- IX. RENTAL AGREEMENT
- X. APPEAL PROCEDURES - GRIEVANCE
- XI. TAX STATUS OF RELOCATION BENEFITS
- XII. LEGAL PRESENCE REQUIREMENT
- XIII. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

I. GENERAL INFORMATION

The building in which you now live is in an area to be improved by the Long Beach Redevelopment Agency (the Agency). As the project schedule proceeds, it will be necessary for you to move from your dwelling. You will be notified in a timely manner as to the date by which you must move.

Please read this information as it will be helpful to you in determining your eligibility and the amount of your relocation benefits under the federal and/or state law. We suggest you save this informational statement for reference.

The Agency has retained the services of Overland, Pacific & Cutler, Inc., a qualified professional relocation firm, to assist you. The firm is available to explain the program and benefits. Their address and telephone number is:



Overland, Pacific & Cutler, Inc.
100 West Broadway, Suite 500
Long Beach, CA 90802
Telephone: (562) 304-2000

Spanish speaking representatives are available. **Si necesita esta información en Español, por favor llame a su representante.**

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your representative with Overland, Pacific & Cutler, Inc., so you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to the Agency's relocation assistance program.

Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. Once the Agency acquires the property, you will also be required to pay rent to the Agency.

II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The Agency, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

III. MOVING BENEFITS

If you must move as a result of displacement by the Agency, you will receive a payment to assist in moving your personal property. There are two types of moving payments. You have the option of selecting either one of the following types of moving payments:

A. Fixed Moving Payment

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the Agency, and ranges, for example, from \$400 for one furnished room to \$2,150 for eight rooms in an unfurnished dwelling. (For details see the table below). Your relocation representative will inform you of the amount you are eligible to receive if you choose this type of payment.

FIXED MOVING SCHEDULE - CALIFORNIA (effective June 2005)			
Occupant owns furniture		Occupant does NOT own furniture	
1 room	\$625.00	1 room	\$400.00
2 rooms	\$800.00	each additional room	\$65.00
3 rooms	\$1,000.00		
4 rooms	\$1,175.00		
5 rooms	\$1,425.00		
6 rooms	\$1,650.00		
7 rooms	\$1,900.00		
8 rooms	\$2,150.00		
each additional room	\$225.00		

If you select a fixed payment, you will be responsible for arranging for your own move and the Agency will assume no liability for any loss or damage of your personal property.

B. Actual Moving Expense (Professional Move)

If you wish to engage the services of a licensed commercial mover and have the Agency pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation representative will inform you of the number of competitive moving

bids (if any) which may be required, and assist you in developing a scope of services for Agency approval.

IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS

You may be eligible for a payment of up to \$5,250 to assist you in renting or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied your present dwelling for at least 90 days prior to the Agency's first offer to purchase the property, or an owner who has occupied your dwelling for between 90 and 180 days prior to the Agency's first offer to purchase the property.

A. Rental Assistance

If you qualify, and **wish to rent** your replacement dwelling, your rental assistance benefits will be based upon the difference over a 42 month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or 30% of your gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR -

B. Down-payment Assistance

If you qualify, and **wish to purchase** a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

V. SECTION 8 TENANTS

When you do move, you may be eligible to transfer your Section 8 eligibility to a replacement site. As outlined above, you will be provided counseling and other advisory services along with moving benefits. In addition, the Agency will pay the cost of any security deposit required to rent a Section 8 approved replacement dwelling unit, and will also cover any required credit checks fees.

VI. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

A. If you owned and occupied a dwelling purchased by the Agency for **at least 180 days** prior to the first offer to purchase, you may be eligible to receive a payment of up to \$22,500 to assist you in purchasing a comparable replacement unit. If you owned and occupied the displacement dwelling for **at least 90 days but not more than 180 days** immediately prior to the date of the Agency's offer to purchase, you may be eligible for a payment of up to \$5,250. This payment is intended to cover the following items:

- 1. Purchase Price Differential** - An amount which, when added to the amount for which the Agency purchased your property, equals the lesser of the actual cost

of your replacement dwelling; **or** the amount determined by the Agency as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.

2. Mortgage Interest Differential - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.

3. Incidental Expenses - Those one time costs incidental to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

B. If you are an owner-occupant and choose to rent rather than purchase a replacement dwelling, you may be eligible for a rental assistance payment of up to \$5,250. The payment will be based on the difference between the fair market rent of the dwelling you occupy and the rent you must pay for a comparable replacement dwelling.

If you receive a rental assistance payment, as described above, and later decide to purchase a replacement dwelling, you may apply for a payment equal to the amount you would have received if you had initially purchased a comparable replacement dwelling, less the amount you have already received as a rental assistance payment.

VII. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase and occupy a comparable replacement unit **within one year from the later of** the following:

1. For a tenant, the date you move from the displacement dwelling;
2. For an owner-occupant, the date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated just compensation is deposited in court; or
3. The date the Agency fulfills its obligation to make available comparable replacement dwellings.

All claims for relocation benefits must be filed with the Agency **within 18 months** from the date on which you receive final payment for your property, or the date on which you move, whichever is later.

VIII. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, the Agency will provide Last Resort housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis. Last Resort housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

If you are a tenant, and you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and last resort eligibility must be applied toward the down-payment of the home you intend to purchase.

IX. RENTAL AGREEMENT

As a result of the Agency's action to purchase the property where you live, you may become a tenant of the Agency for a certain time. If this occurs, you will be asked to sign a rental agreement which will specify the monthly rent to be paid, when rent payments are due, where they are to be paid and other pertinent information.

Except for the causes of eviction set forth below, no person lawfully occupying property to be purchased by the Agency will be required to move without having been provided with at least 90 days written notice from the Agency. Eviction will be undertaken only in the event of one or more of the following infractions:

- A.** Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services;
- B.** Performance of dangerous illegal act in the unit;
- C.** Material breach of the rental agreement and failure to correct breach within 30 days of notice;
- D.** Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- E.** Refusal to accept one of a reasonable number of offers of replacement dwellings;
or
- F.** The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

X. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for a relocation payment, or the amount of a payment, may have his/her claim reviewed or reconsidered in accordance with the Agency's appeals procedure. Complete details on appeal procedures are available upon request from the Agency.

XI. TAX STATUS OF RELOCATION BENEFITS

Relocation benefit payments are not considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

XII. LAWFUL PRESENCE REQUIREMENT

Pursuant to the Public Law 105-117 of 11-21-97, in order to be eligible to receive relocation benefits in federally-funded relocation projects, all members of the household to be displaced must provide information regarding their lawful presence in the United States. In federal projects, any member of the household who is not lawfully present in the United States or declines to provide this information, may be denied relocation benefits. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US.

XIII. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize the hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation representative.

ATTACHMENT 6

Fixed Payment Moving Schedule	
Occupant Owns Furniture	
One room	\$625.00
Two rooms	\$800.00
Three rooms	\$1,000.00
Four rooms	\$1,175.00
Five rooms	\$1,425.00
Six rooms	\$1,650.00
Seven rooms	\$1,900.00
Eight rooms	\$2,150.00
each additional room	\$225.00
Occupant Does NOT Own Furniture	
First Room	\$400.00
each additional room	\$65.00

Source: Federal Highway Administration (effective 6-15-05)

ATTACHMENT 7
PROCEDURES
FOR
RELOCATION PAYMENTS AND ASSISTANCE

Claims and supporting documentation for relocation benefits must be filed with the Agency within 18 months from:

- The date the claimant moves from the acquired property; **or**,
- The date on which final payment for the acquisition of real property is made, whichever is later.

The procedure for the preparation and filing of claims, and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in accordance with the provisions of California Relocation Law.
3. Required claim forms will be prepared by relocation personnel in conjunction with claimant(s). Signed claims and supporting documentation will be submitted by relocation personnel to the Agency.
4. The Agency will review and approve claims for payment or request additional information.
5. The Agency will issue benefit checks which will be available at the Agency offices for pick-up by OPC, unless circumstances dictate otherwise.
6. Final payments will be issued after confirmation that the Project area premises have been completely vacated, and actual residency at the replacement unit is verified.
7. Receipts of payment will be maintained in the relocation case file.

ATTACHMENT 8

APPEALS POLICY AND PROCEDURES

The Agency's Policy and Procedures for appeals will follow the standards described in Article 5, Section 6150, Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Briefly stated, displacees will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to:

1. eligibility;
2. the amount of payment;
3. the failure to provide comparable replacement housing referrals; or
4. the Agency's property management practices.

Requests for review will be directed first to the Redevelopment Director or other authorized designee of the Agency. Details concerning the entire appeals process will be provided upon request.

ATTACHMENT 9

**PLAN ADDENDUM
(PUBLIC COMMENTS AND RESPONSE)**

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,
ADOPTING A REPLACEMENT HOUSING PLAN FOR THE
1440 TEMPLE AVENUE PROJECT

Whereas, the Redevelopment Agency of the City of Long Beach, California ("Agency"), is negotiating the redevelopment of property located at 1440 Temple Avenue (the "1440 Temple Avenue Project"); and

WHEREAS, the 1440 Temple Avenue Project will result in displacement of existing housing units; and

WHEREAS, California Health and Safety Code Section 33413.5 requires that the Agency adopt a housing replacement plan for the 1440 Temple Avenue Project;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

The Agency hereby adopts the Replacement Housing Plan for the 1440 Temple Avenue Project, which is attached as Exhibit "A" to this resolution.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of

Long Beach, California, on this _____ day of _____, 2007.

Executive Director/Secretary

APPROVED:

Chair

HAM:fl
2/8/07
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#07-00654

EXHIBIT A

REPLACEMENT HOUSING PLAN

1440 Temple Avenue
Orizaba Park Expansion Project

**CENTRAL LONG BEACH
REDEVELOPMENT PROJECT AREA**



March 5, 2007

**LONG BEACH REDEVELOPMENT AGENCY
333 WEST OCEAN BLVD., 3RD FLOOR
LONG BEACH, CA 90802**

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I. INTRODUCTION

This Replacement Housing Plan (Plan) for a proposed future open space development located at 1440 Temple Avenue (Project) has been prepared pursuant to Section 33413.5 of the California Health and Safety Code for the Long Beach Redevelopment Agency (Agency). Section 33413.5 requires that, not less than 30 days prior to the execution of an agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from the low and moderate-income housing market, the Agency shall adopt by resolution a replacement housing plan.

In addition, Section 33413.5 mandates that the Plan shall include the following components:

- The number of dwelling units housing persons and families of low- or moderate-income to be removed and replaced by construction or rehabilitation;
- The general location of housing to be rehabilitated, developed or constructed pursuant to Section 33413;
- An adequate means of financing such rehabilitation, development, or construction;
- The timetable for meeting the Replacement Housing Plan's relocation, rehabilitation, and replacement housing objectives; and
- A finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained;

II. DEFINITIONS

Very-Low-Income Household

Persons and families whose gross incomes do not exceed 50 percent of the area median income adjusted for family size.

Low-Income Household

Persons and families whose gross incomes exceed 50 percent but do not exceed 80 percent of the area median income adjusted for family size.

Moderate-Income Household

Persons and families whose gross incomes exceed 80 percent but do not exceed 120 percent of the area median income adjusted for family size.

Affordable Owner-Occupied Housing Cost

Section 50052.5 of the California Health and Safety Code states that for any owner-occupied housing, "affordable housing costs" shall not exceed the following:

- (1) For very-low-income households the product of 30 percent times 50 percent of the area median income adjusted for family size appropriate for the unit.
- (2) For lower-income households whose gross incomes exceed the maximum income for very-low-income households and do not exceed 70 percent of the area median income adjusted for family size, the product of 30 percent times 70 percent of the area median income adjusted for family size. In addition, for any lower-income household that has a gross income that equals or exceeds 70 percent of the area median income adjusted for family size, it shall be optional for any state or local funding agency to require that affordable housing cost not exceed 30 percent of the gross income of the household.
- (3) For moderate-income households whose gross incomes exceed the maximum income for lower-income households and do not exceed the 110 percent of the area median income adjusted for family size, the product of 35 percent times 110 percent of the area median income adjusted for family size appropriate for the unit. In addition, for any moderate-income household that has a gross income that equals or exceeds 110 percent of the area median income adjusted for family size, it shall be optional for any state or local funding agency to require that affordable housing cost not exceed 35 percent of the gross income of the household.

Affordable Renter-Occupied Housing Cost

Section 50053 of the California Health and Safety code states that for any rental housing development, "affordable rent," including a reasonable utility allowance, shall not exceed:

- (1) For very-low-income households, the product of 30 percent times 50 percent of the area median income adjusted for family size appropriate for the unit.
- (2) For lower-income households whose gross incomes exceed the maximum income for very-low-income households, the product of 30 percent times 60 percent of the area median income adjusted for family size appropriate for the unit. In addition, for those lower-income households with gross incomes that exceed 60 percent of

the area median income adjusted for family size, it shall be optional for any state or local funding agency to require that affordable rent be established at a level not to exceed 30 percent of gross income of the household.

- (3) For moderate-income households, the product of 30 percent times 110 percent of the area median income adjusted for family size appropriate for the unit. In addition, for those moderate-income households whose gross incomes exceed 110 percent of the area median income adjusted for family size, it shall be optional for any state or local funding agency to require that affordable rent be established at a level not to exceed 30 percent of gross income of the household.

Replacement Dwelling Unit

For this Replacement Housing Plan, "Replacement Dwelling Unit" means a dwelling unit developed or constructed in the City of Long Beach pursuant to Section 33413 in replacement of a dwelling unit destroyed or removed from the low- and moderate-income housing market by the Agency and which is decent, safe, and sanitary, contains at least the same number of bedrooms and other living areas as the dwelling unit destroyed or removed, and is available at affordable housing cost to low- and moderate-income households.

III. **REPLACEMENT HOUSING REQUIREMENTS**

Section 33413(a) of the California Health and Safety Code requires that whenever low- or moderate-income household dwelling units are destroyed or removed from the housing market as part of a redevelopment project which is subject to a written agreement with a redevelopment agency or where financial assistance has been provided by the agency, the agency shall, within four years of the destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low- or moderate-income, an equal number of replacement dwelling units which have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs within the territorial jurisdiction of the agency.

When dwelling units are destroyed or removed on or after January 1, 2002, 100 percent of the replacement dwelling units shall be available at affordable housing cost to persons in the same or lower income category (low, very low, or moderate), as the persons displaced from those destroyed or removed units.

Section 33413(f) of the California Health and Safety Code modifies these requirements as follows:

Notwithstanding subdivision (a), the agency may replace destroyed or removed dwelling units with a fewer number of replacement dwelling units if the replacement dwelling units meet both of the following criteria:

- (1) The total number of bedrooms in the replacement dwelling units equals or exceeds the number of bedrooms in the destroyed or removed units. Destroyed or removed units having one or no bedroom are deemed for this purpose to have one bedroom.
- (2) The replacement units are affordable to the same income level of households as the destroyed or removed units.

IV. **PROJECT DESCRIPTION**

In August of 2006, the Agency contacted the owner of the properties located at 1440 Temple Avenue (Property) within the Central Long Beach Redevelopment Project Area (Project Area) about the possible voluntary acquisition of the property. The purchase of nonconforming residential property in this Project Area is consistent with the goals of the Central Long Beach Redevelopment Plan (Plan). On December 22, 2006, the Agency purchased the Property, which will be demolished and assembled with adjacent parcels to allow for open space development.

The Project's primary activities will include the following:

A. Acquisition, Relocation and Demolition

The Agency has acquired the Property. The Agency will demolish the structures to prepare the site for the expansion of Orizaba Park. The property is a single resident household. To date, all transactions have been negotiated through voluntary acquisition and tenants will be relocated in accordance with state relocation law.

B. New Construction and/or Substantial Rehabilitation

The existing residential structure will not be rehabilitated and no new residential construction at the Project Area is anticipated at this time. Demolition of the residential property will facilitate the removal of a non-conforming use.

The assemblage of property and all new construction and rehabilitation will be in accordance with the City of Long Beach General Plan, the Central Long Beach Redevelopment Plan, and current City zoning requirements.

V. RESIDENTIAL UNITS TO BE REMOVED AND REPLACED

The Property contains one two-bedroom residential unit occupied by a low-income residents. The site will be assembled and incorporated in the Orizaba Park Expansion Project.

VI. GENERAL LOCATION OF HOUSING TO BE REHABILITATED, OR CONSTRUCTED

Pursuant to California Health and Safety Code Section 33413, the Agency will, within four years, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of very-low-, low- or moderate-income an equal number of dwelling units which have an equal number of bedrooms as those removed dwelling units, or a fewer number of replacement dwelling units if the replacement dwelling units collectively contain an equal or greater number of bedrooms than the combined bedrooms destroyed or removed and are available at affordable housing cost to households of the same income category as the displaced households.

It is not anticipated that the replacement dwelling units will be within the Project site, as allowed by Section 33413.

VII. FINANCING OF REPLACEMENT HOUSING

The Agency transfers all of the 20% set-aside funds from each redevelopment project area into the City's Housing Development Fund (LBHDC). This money is used by the LBHDC to assist in the production of affordable housing as required by Law. Current LBHDC programs funded by set-aside tax increment revenues include the following:

- First-time Home Buyer Down Payment Assistance Program;
- Interest Rate Reduction Program
- Moderate-Income Rehabilitation Loan Program
- Developer Assistance Program

Should the LBHDC build or otherwise assist in the creation of affordable housing in the territorial jurisdiction of the Agency, it will do so in accordance with California Health and Safety Code Section 33413(b). In addition, the creation or rehabilitation of replacement dwelling units can be financed through a variety of means other than set-aside tax increment revenues, including:

- State of California Cal Home Program Funds;
- State of California HELP Program Funds;

- State of California CHFA Tax-Exempt Mortgage Revenue Bond Program Funds;
- Federal HOME Program Funds;
- Mortgage Credit Certificate Program; and
- Conventional bank loans

VIII. TIMETABLE FOR DEVELOPMENT OF REPLACEMENT HOUSING

Within four years of the destruction or removal of any low- or moderate-income housing, the Agency will rehabilitate, develop or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to low- or moderate-income families replacement dwellings for those units lost as a result of the Project's implementation.

At this time, possible replacement complexes for very-low income housing units include Pacific Apartments at 1601 Pacific Avenue, Puerto Del Sol Apartments on 3rd Street between Golden and Maine Avenues, and Cabrillo Family Housing located at the Villages at Cabrillo campus in west Long Beach. Pacific Apartments will include 31 affordable residences with a total of 94 bedrooms available to very-low income households, including one four-bedroom unit and 30 three-bedroom units. Puerto del Sol Apartments will provide 63 affordable residences with a total of 166 bedrooms available to very-low income households, including 11 four-bedroom units and 16 three-bedroom units. The Cabrillo Family Housing development will encompass 81 residences with a total of 149 bedrooms available to very-low income households and 63 bedrooms available to low-income households, including 8 four-bedroom units and 43 three-bedroom units. Low-income and moderate-income housing units can also be replaced within Olive Court, being developed at 1856 Long Beach Boulevard. In no event will replacement housing be available later than four years from the adoption of this Replacement Housing Plan.

IX. COMPLIANCE WITH ARTICLE XXXIV OF THE CALIFORNIA CONSTITUTION

Article XXXIV of the California Constitution requires voter approval of all low-rent housing projects that are developed, constructed, or acquired by a public entity. Under Section 37001 of the California Health and Safety Code, the Project is not a "low-rent housing project" as defined in Section 2 of Article XXXIV of the California Constitution because the housing units are being developed to replace dwelling units previously or currently occupied by lower-income households. Therefore, the proposed replacement housing does not require the approval of voters pursuant to Article XXXIV of the California Constitution.

X. PROVISION FOR PUBLIC REVIEW AND COMMENT

In accordance with Section 33413.5, a draft of the Replacement Housing Plan has been made available for review and comment by the general public and other public agencies.