Agency Meeting: December 13, 2011

SUBJECT: Public Hearing to Approve the Midterm Review on the Progress of the Five-Year Implementation Plan for FY 2009/10 - FY 2013/14 for the Central Core Redevelopment Project Area

BACKGROUND

The Redevelopment Agency of the City of Sunnyvale, established November 19, 1957, adopted a Redevelopment Plan for the Central Core Redevelopment Project Area by Ordinance No. 1796-75 on November 26, 1975. In 1994, Assembly Bill 1290 imposed additional planning and reporting requirements on redevelopment agencies requiring the preparation of an implementation plan and one midterm review every five years.

Section 33490 of the California Redevelopment Law (CRL) requires that a redevelopment agency prepare and adopt a five-year implementation plan for its project areas. Section 33490(c) of the CRL requires that at least once during the five year period, between the second and third year of the Plan, the Agency holds a public hearing to hear from all interested parties for the purpose of reviewing the Plan and evaluating the progress of the Agency's programs and projects.

Implementation plans cover anticipated redevelopment activities over the five year period. The plan must describe specific goals and objectives of the Redevelopment Agency, specific programs, including potential projects, estimated expenditures to be made during the five year period, and how these projects will improve or alleviate blighted conditions in the project area. It must also contain a section on the Agency's housing responsibility.

In 1986, the legislature retroactively imposed a new statutory obligation on Redevelopment Agencies established prior to 1977 to set aside 20 percent of the tax increment generated from the project area each year in a special housing fund for the provision of affordable housing. Sunnyvale's Agency defers making deposits into its Housing Fund as allowed by CRL and is accumulating a deficit obligation because no tax increment revenue remains after the Agency has paid on its existing pre-1986 debt obligations. In June 1994 the Agency adopted a Housing Fund Deficit Reduction Plan. That plan called for the Agency to reduce its Housing Fund Deficit by making additional payments from tax increment revenues after repayment of the existing post-1986 debt obligations.

EXISTING POLICY

The Redevelopment Implementation Plan Goal 1 states: *Meet the Agency's Existing Financial and Administrative Obligations*

DISCUSSION

The attached Midterm Review of the Implementation Plan (Attachment A) is divided into three sections: Introduction, Non-Housing Implementation Plan, and Housing Component. The goals and objectives are defined, programs and projects are outlined, and the alleviation of blight is discussed. The Midterm Review of the Implementation Plan is an update for the five-year period, while still providing flexibility so the agency may adjust to changing circumstances and new opportunities.

The plan is based on existing planning reporting documents, including the Downtown Specific Plan. The goals of the Implementation Plan have not been changed and are listed as follows:

- Meet the Agency's existing financial and administrative obligations.
- Establish the downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.
- Implement specific actions such as the provision of public improvements in an attractive and cohesive physical form, which clearly identifies Sunnyvale's downtown.
- Develop and implement an overall parking strategy that meets the needs of retail, office, housing and visitor demand.
- Increase housing opportunities.

Since the adoption of the Implementation Plan, three separate legislative bills were passed as part of two State Budget processes that could change Redevelopment Law and create a significant fiscal impact on the Redevelopment Agency and the City of Sunnyvale pending the outcome of the lawsuits filed against the legislation.

As part of the adopted State Budget for FY 2009/10, AB4X 26 was passed which mandated a statewide $2.05 billion contribution from redevelopment agencies to the Supplemental Educational Revenue Augmentation Fund (SERAF) over a two-year period. Sunnyvale's Redevelopment Agency share of this take was $2,024,110 in FY 2009/10 and an additional $416,322 for FY 2010/11. The California Redevelopment Association (CRA) appealed this SERAF transfer as unconstitutional, but on May 4, 2010, the Sacramento Superior Court ruled to deny the CRA petition. CRA filed an appeal to the ruling in the Third District Court of Appeal in order to block the transfer of redevelopment funds by the State. The appeal is still pending.

Since Proposition 22 was successful in November 2010, it was assumed by voters that Redevelopment tax increment would be constitutionally protected from future State takeaways. However, On June 28, 2011, as part of the adopted State Budget for FY 2011/12, the State significantly modified the Redevelopment Law by enacting ABX1 26 (the Dissolution Act) and ABX1 27 (the Voluntary Program Act). The Dissolution Act immediately suspended all new development activities and incurrence of indebtedness, and dissolves redevelopment agencies effective October 1, 2011; while the Voluntary Program Act allows redevelopment agencies to avoid dissolution by opting into a voluntary alternative redevelopment program requiring specified annual contribution to local school and special districts.

On August 11, 2011, the California Supreme Court agreed to review the CRA and League of California Cities' petition challenging the constitutionality of ABX1 26 and 27. The Court issued an order granting a stay, as modified on August 17, 2011, on the Voluntary Program Act and the dissolution aspects of the Dissolution Act, pending the Court's determination of the constitutionality of the Acts. The Court anticipates making a final decision by January 15, 2012. Until the Court makes a final decision, redevelopment agencies are prohibited from activities except in connection with items defined as existing enforcement obligations.

On September 13, 2011, the City, as the sponsoring community, adopted the Continuation Ordinance to keep the Agency in existence and to participate in the Voluntary Program. The Continuation Ordinance shall only become effective upon the Court lifting the Stay, and ultimately deciding that the Voluntary Program Act is constitutional.

Under the Voluntary Program Act, the State Department of Finance has calculated Sunnyvale's payment to be $3,650,428 for FY 2011/12. The payment for FY 2012/13 is estimated to be $900,000 and will increase with the increase in tax increment through the rest of the life of the redevelopment plan. On September 20, 2011, the Agency executed the Agency Transfer Payment Agreement with the City pursuant to Part 1.9 of the Redevelopment Law. This Agreement allows the Agency to transfer a portion of its tax increment to the City in an amount not to exceed the remittance payment made by the City to local school and special districts.

Non-Housing Implementation Plan

Redevelopment activities, since the adoption of the Implementation Plan, were centered on approving and implementing the new development agreement for the redevelopment of downtown Sunnyvale, completing the Town Center's priority infrastructure and finishing the Murphy Avenue Streetscape Revitalization Project.

During the preparation of the Implementation Plan, the Town Center development was in bankruptcy and negotiations for the sale of the project were underway with the bank, which had foreclosed on the property. A Modification Agreement to the Amended and Restated Disposition and Development and Owner Participation Agreement was approved on May 14, 2010, which contains various changes to the underlying deal to develop the property. These changes were incorporated into the 2010 Amended Disposition and Development and Owner Participation Agreement (ADDOPA) and signed with the court-appointed receiver for the project on August 2, 2010. As part of the ADDOPA, the Agency maintained the agreement to return to the developer up to $4.5 million per year of Tax Increment generated by the project plus 50% of any receipts above this amount, in return for construction by the developer of public streets and public parking structures. The tax increment sharing agreement ends in FY 2025/26.

The City and the Agency brought together all parties involved to reach an agreement to complete the Town Center's priority infrastructure needs with curbs, sidewalks, landscaping, lighting and temporary signage to support the new Target store, existing Macy's, and downtown businesses as well as to further improve the entire project area.

The Downtown Murphy Avenue Streetscape Revitalization Project was completed in June 2010 and provides streetscape improvements for the 100 block of Murphy Avenue. The project was funded by grants from the Metropolitan Transportation Authority as well as the proceeds from the downtown land sale and Agency funds. The development supports a downtown that features easy public access via the CalTrain station and VTA bus station.

Housing Component

The review of the housing component of the plan still anticipates that there will not be sufficient tax increment revenue to make payments or reduce the deficit in the Agency's Housing Fund, and that the deficit will almost double over the five year plan period. Even though the Redevelopment Plan ends in 2028, the Agency can continue to receive tax increment revenue to fund the housing deficit fund if needed.

FISCAL IMPACT
Review of the updated financial projections outlined in the Plan reflect that towards the end of the Five-Year Plan the tax increment revenue will increase from new development. However, there will not be sufficient funds to reduce the Housing Fund Deficit.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk. A legal add was published once a week for three weeks and notice was posted four places within the project area.

ALTERNATIVES

1. Approve the Midterm Review of the Five-Year Implementation Plan for the Central Core Redevelopment Project Area.
2. Modify and approve the Midterm Review of the Five-Year Implementation Plan for the Central Core Redevelopment Project Area.

RECOMMENDATION
Staff recommends Alternative 1; approve the Midterm Review of the Five-Year Implementation Plan for the Central Core Redevelopment Project Area.

California Community Redevelopment Law requires that the Agency prepare and adopt a Five-Year Implementation Plan. The Midterm Review of the Implementation Plan is intended to provide an update of the implementation of the Agency's programs and activities. The Agency expects that particular constraints and opportunities, not fully predictable at this time, will arise in the course of undertaking the projects and activities described in this updated Plan over the five year period.

Reviewed by:

Grace K. Leung, Treasurer, Redevelopment Agency
Prepared by: Brice McQueen, Manager, Redevelopment Agency

Approved by:

Gary Luebbers
Executive Director, Redevelopment Agency

Attachments

A. Midterm Review of Five-Year Implementation Plan for FY 2009/10 - FY 2013/14.

Attachment A

Midterm Review of

Five-Year Implementation Plan

FY 2009/10 - FY 2013/14

Central Core Redevelopment Project Area

Prepared by

Redevelopment Agency of the City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088

Table of Contents
Midterm Review of Five-Year Implementation Plan
Sunnyvale Central Core Redevelopment Project

Lists of Figures, Tables and Graphs

Figures

Tables

I. Introduction

Section 33490 of the California Community Redevelopment Law (the "CRL") requires that a redevelopment agency administering a redevelopment plan prepare and adopt a five-year implementation plan for its project areas. The principal goal of the implementation plan is to guide an agency in implementing its redevelopment program to help eliminate blighting influences. In addition, the affordable housing component of the implementation plan provides a mechanism for a redevelopment agency to monitor its progress in meeting both its affordable housing obligations under the CRL and the affordable housing needs of the community. In effect, the implementation plan is a guide, incorporating the goals, objectives and potential programs of an agency for the five-year implementation plan period, while providing flexibility so the agency may adjust to changing circumstances and new opportunities.

Section 33490(c) of the CRL requires that the Agency, at least once during the five year period of the Plan, hold a public hearing for the purpose of reviewing the Plan and evaluating the progress of the Agency's programs and projects.

This document constitutes the Midterm Review of the FY 2009/10 - FY 2013/14 Implementation Plan for the Sunnyvale Central Core Redevelopment Project Area (the "Project Area"), which was established in 1975. This Midterm Review updates the outlined program of revitalization, economic development, and housing activities of the Redevelopment Agency of the City of Sunnyvale (the "Agency") for the required five-year implementation period.

A. Organization

The midterm review contains the following information:

- Specific goals and objectives for both housing and non-housing activities.
- Specific programs and expenditures for both housing and non-housing activities.
- An explanation of how the goals, objectives, programs and expenditures will assist in the elimination of blight and in meeting affordable housing obligations.

Chapter I provides a basic discussion of the CRL requirements, Project Area description, Agency accomplishments to date, and goals and objectives for the Project Area. Chapter II summarizes the proposed non-housing activities and related revenues and expenditures for the five years, and a description of the blighting conditions and how they will be alleviated by the activities. Chapter III addresses housing activities and expenditures, and tracks Agency progress in meeting its affordable housing obligations.

B. Interpretation

The Midterm Review is intended to provide an update of the implementation of the Agency's programs and activities. The Agency expected that particular constraints and opportunities, not fully predictable at the time the Implementation Plan was developed, will arise in the course of the undertaking of projects and activities described in the Implementation Plan. Therefore, the Agency uses the Implementation Plan as a flexible guide. The Agency acknowledges that specific projects and activities as actually implemented over the five years may vary in their precise timing, location, cost, expenditure, scope and content from those set forth in the adopted Plan.

C. Description of the Redevelopment Plan and Project Area

The Redevelopment Plan for the Central Core Redevelopment Project (as amended, the "Redevelopment Plan") was adopted by the Sunnyvale City Council in November 1975. The Sunnyvale Central Core Redevelopment Project Area consists of 184 acres, including the Central Business District. Table I-1 below provides a summary of the time and financial limits of the Redevelopment Plan for the Project Area. The boundaries of the Project Area are shown in Figure I-1.

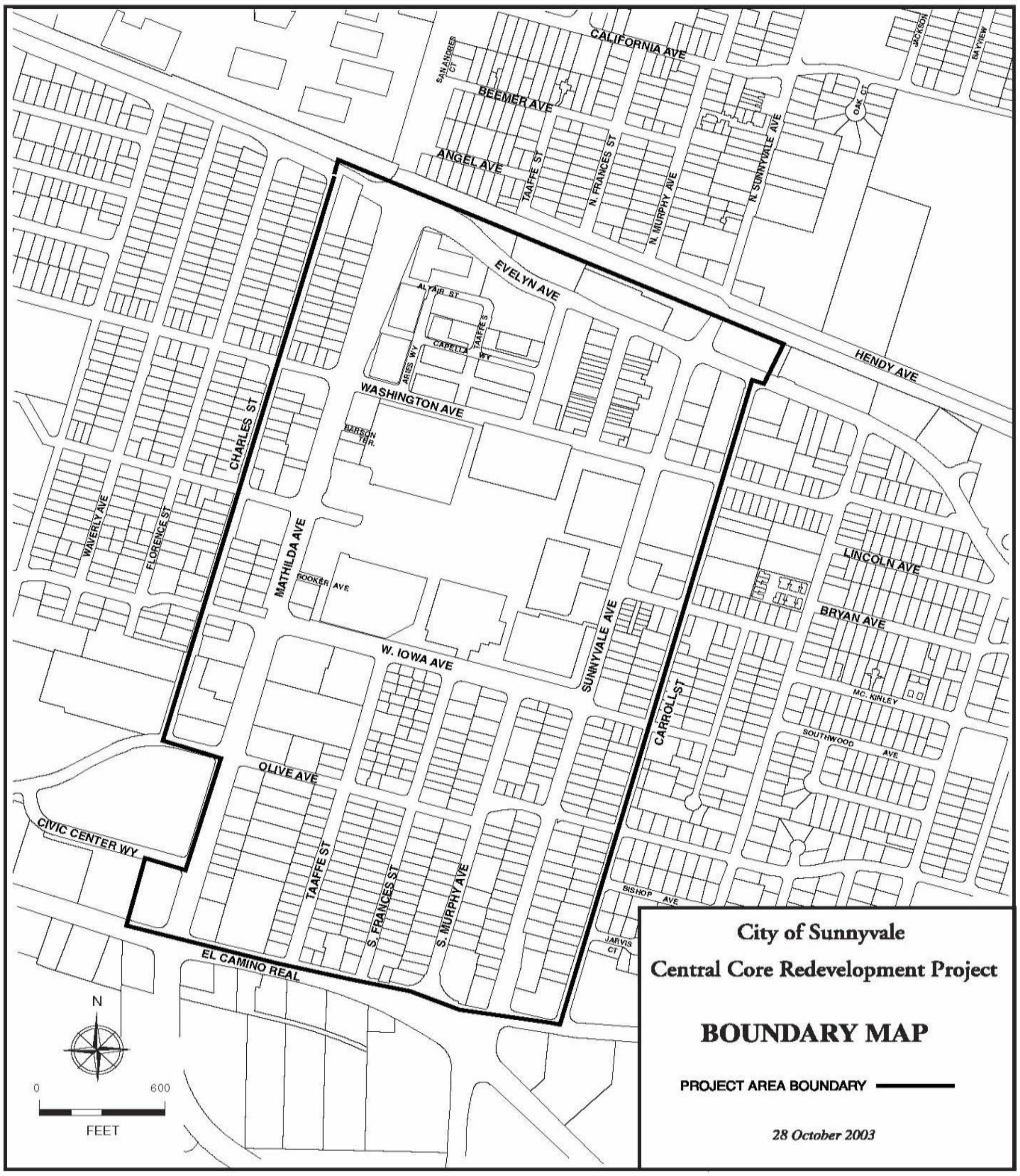
Table I-1
Summary of Sunnyvale Central Core Redevelopment Plan
Time and Fiscal Limits

	SUNNYVALE CENTRAL CORE PROJECT AREA
Background Information	
Total Acres	184
Date of Adoption	11/26/1975
Time Limits	
Incurring Debt	01/01/2004
Plan Effectiveness (Project Activities)	11/26/2018
TI Collection/Repayment of Debt	11/26/2028
Eminent Domain	1/13/2012(a)
Financial Limits	
Tax Increment Cap	$600 million
Bond Limit	None specified

(a) Only on non-residential properties in the Project Area.

The purpose of establishing the Redevelopment Plan was to eliminate blight and to stimulate private development of the downtown core area. One of the Agency's original activities was to assist in the development of the 750,000 square foot Sunnyvale Town Center shopping mall, which was opened in 1979. The Agency's assistance included land assembly and disposition and financing of necessary off-site improvements. Financing of Project Area activities has included tax allocation bonds, certificates of participation secured by revenue from an Agency-owned parking facility, and other City loans.

Figure I-1
Boundaries of Project Area



D. Project Status

For various reasons, including the limitation on and roll-back of property tax rates mandated by Proposition 13 soon after adoption of the Redevelopment Plan, tax increment revenue allocated to the Agency was insufficient to pay the annual debt service on the Agency's Central Core Tax Allocation Bonds (the "TABs") and parking facility Certificates of Participation (the "COPs") until recent years. Consequently, the Agency entered into a Repayment Contract with the City in 1977 (the "1977 City Loan") to repay the City for costs paid on its behalf, plus 8% interest on the unpaid balance. The funds used to repay the City are generated from tax increment revenue, but the City loan obligation is subordinate to Agency debt service payments due on its TABs and COPs. While tax increment revenues in the last few years have been sufficient to meet the Agency's annual debt service, the outstanding balance of the City Loan continues to grow as a result of annual interest costs. In addition, the Agency needed to borrow additional funds from the City in FY 1993/94 (the "1994 City Loan") and FY 2001/02 (the "Plaza Loan") to fund operating and capital costs.

In 1986, the legislature imposed a new statutory obligation on Redevelopment Agencies to set aside 20 percent of the tax increment revenue generated in a Project Area each year in a special fund for the provision of affordable housing (the "Housing Fund"). Agencies that had issued debt secured by tax increment prior to January 1, 1986 and needed all of their tax increment to repay this pre-existing debt were not required by the CRL to make deposits into the Housing Fund through FY 1993/94 if they made appropriate findings. The Agency made the findings under the CRL that exempted it from the obligation to make such Housing Fund deposits through FY 1992/93. Starting in FY 1993/94, the Agency has deferred deposits into its Housing Fund under a separate provision of the CRL that allows deferrals to the extent that tax increment revenue is insufficient to make full deposits due to its pre-1986 debt obligations. Given the Agency's significant pre-1986 debt obligation of $46,454,743, the Agency is projected to defer deposits to the Housing Fund on this basis until approximately FY 2015/16. The deferred deposits will become an additional debt that the Agency must repay once sufficient tax increment revenue becomes available. As of the beginning of FY 2011/12, the Agency has accumulated a deficit in the Housing Fund of $14,673,716. The outstanding balances, including principal and accrued interest on all of the Agency's debt obligations as of the beginning of FY 2011/12 are as follows:

Table I-2
Outstanding Agency Debt Obligations as of June 30, 2011

	Pre-1986 Debt	Post-1985 Debt	Total Debt
Central Core Tax Allocation Bonds	$5,670,000		$5,670,000
Parking Facility Certificates of Participation	$10,975,000		$10,975,000
1977 City Loan	$29,809,743		$29,809,743
1994 City Loan		$29,734,109	$29,734,109
Plaza Loan from City		$2,686,271	$2,686,271
Total Non-Housing Debt Obligations	**$46,454,743**	**$32,420,380**	**$78,875,123**
Housing Fund Deficit		$14,673,716	$14,673,336
Total Obligations	**$46,454,743**	**$47,093,716**	**$93,548,459**

In summary, the Agency's current annual tax increment revenue of about $10 million is now sufficient to pay debt service on the pre-1986 TABs and COPs, but is insufficient to eliminate the balance of the 1977 City Loan or to make any current deposits to the Housing Fund (thus incurring an additional Housing Fund deficit that must be repaid later). Furthermore, there is no remaining tax increment revenue for the Agency to pay general administrative costs or to undertake activities without adding to the post-1986 debt obligation to be repaid at a later date.

Additionally, since the adoption of the Implementation Plan, three separate legislative bills were passed as part of two State Budget processes that could create a major change in Redevelopment Law and produce a significant fiscal impact on the Redevelopment Agency and the City of Sunnyvale pending the outcome of the lawsuits filed against the legislation.

As part of the adopted State Budget for FY 2009/10, AB4X 26 was passed which mandated a statewide $2.05 billion contribution from redevelopment agencies to the Supplemental Educational Revenue Augmentation Fund (SERAF) over a two-year period. Sunnyvale's Redevelopment Agency share of this take was $2,024,110 in FY 2009/10 and an additional $416,322 for FY 2010/11. The California Redevelopment Association (CRA) appealed this SERAF transfer as unconstitutional, but on May 4, 2010, the Sacramento Superior Court ruled to deny the CRA petition. CRA filed an appeal to the ruling in the Third District Court of Appeal in order to block the transfer of redevelopment funds by the State. The appeal is still pending.

Since Proposition 22 was successful in November 2010, it was assumed by voters that Redevelopment tax increment would be constitutionally protected from future State takeaways. However, On June 28, 2011, as part of the adopted State Budget for FY 2011/12, the State significantly modified the Redevelopment Law by enacting ABX1 26 (the Dissolution Act) and ABX1 27 (the Voluntary Program Act). The Dissolution Act immediately suspended all new development activities and incurrence of indebtedness, and dissolves redevelopment agencies effective October 1, 2011; while the Voluntary Program Act allows redevelopment agencies to avoid dissolution by opting into a voluntary alternative redevelopment program requiring specified annual contribution to local school and special districts.

On August 11, 2011, the California Supreme Court agreed to review the CRA and League of California Cities' petition challenging the constitutionality of ABX1 26 and 27. The Court issued an order granting a stay, as modified on August 17, 2011, on the Voluntary Program Act and the dissolution aspects of the Dissolution Act, pending the Court's determination of the constitutionality of the Acts. The Court anticipates making a final decision by January 15, 2012. Until the Court makes a final decision, redevelopment agencies are prohibited from activities except in connection with items defined as existing enforcement obligations.

On September 13, 2011, the City, as the sponsoring community, adopted the Continuation Ordinance to keep the Agency in existence and to participate in the Voluntary Program. The Continuation Ordinance shall only become effective upon the Court lifting the Stay, and ultimately deciding that the Voluntary Program Act is constitutional.

Under the Voluntary Program Act, the State Department of Finance has calculated Sunnyvale's payment to be $3,650,428 for FY 2011/12. The payment for FY 2012/13 is estimated to be

$900,000 and will increase with the increase in tax increment through the rest of the life of the redevelopment plan. On September 20, 2011, the Agency executed the Agency Transfer Payment Agreement with the City pursuant to Part 1.9 of the Redevelopment Law. This Agreement allows the Agency to transfer a portion of its tax increment to the City in an amount not to exceed the remittance payment made by the City to local school and special districts.

E. Agency Midterm Accomplishments FY 2009/10 – FY 2013/14

Redevelopment activities, since the adoption of the Implementation Plan, were centered on approving and implementing the new development agreement for the redevelopment of downtown Sunnyvale, completing the Town Center’s priority infrastructure and finishing the Murphy Avenue Streetscape Revitalization Project.

During the preparation of the Implantation Plan, the Town Center development was in bankruptcy and negotiations for the sale of the project were underway with the bank, which had foreclosed on the property. A Modification Agreement to the Amended and Restated Disposition and Development and Owner Participation Agreement was approved on May 14, 2010, which contains various changes to the underlying deal to develop the property. These changes were incorporated into the 2010 Amended Disposition and Development and Owner Participation Agreement (ADDOPA) and signed with the court-appointed receiver for the project on August 2, 2010.

The reestablishment and reconnection of McKinley Avenues and Taaffe Street to allow vehicle and pedestrian traffic through the redesigned Town Center area was completed. The City and the Agency brought together all parties involved to reach an agreement to complete the Town Center’s priority infrastructure needs with curbs, sidewalks, landscaping, lighting and temporary signage to support the new Target store, existing Macy’s, and downtown businesses as well as to further improve the entire project area.

The Downtown Murphy Avenue Streetscape Revitalization Project was completed in early 2010. The project provides for streetscape improvements for the 100 block of Murphy Avenue consistent with the Murphy Avenue Streetscape Plan approved by Council. The project is funded by grants from the Metropolitan Transportation Authority as well as the proceeds from the downtown land sale and Agency funds. This project will assure that the block around the Historic Murphy Avenue is competitive aesthetically with the rest of downtown to revitalize and strengthen the historic Murphy Avenue Businesses.

F. Overview of Future Activities

While there will be no uncommitted tax increment revenue available to the Agency during the five-year Implementation Plan, the Project Area continues to require public support to achieve the goals of elimination blight and revitalizing downtown. In 2003, the City Council updated the Downtown Specific Plan (the "Specific Plan"), which sets forth two main goals for the Downtown Commercial Core District: (1) to link the different blocks together into a cohesive downtown core and (2) to create a lively street life on all primary streets. The Specific Plan and Redevelopment Implementation Plan continue to set the context for the downtown area's growth and redevelopment. To continue the Project Area revitalization effort in the manner envisioned by the Specific Plan, the Agency and the City are currently implementing programs envisioned in the Specific Plan. Consequently, the Agency's major activities for the coming years will be twofold:

1. To meet the Agency's existing financial and administrative obligations.
2. To work with the City to implement the Specific Plan.

The Project Area continues to require redevelopment support, particularly the central area including the Town Center and Town and Country properties. The City and the Agency continue to work with the Bank in control of the Town Center to transition the project to a new developer. The Town Center project together with the independent Macy's and Target stores includes a total of 991,761 square feet of retail, entertainment and restaurant space, 315,000 square feet of office space, 292 condos, a 194-room hotel and more than 5,000 parking spaces. The Town and Country property located adjacent to the Town Center project was also planned for redevelopment. The first two of three Town and Country phases of the project is moving forward and includes a total of 40,100 square feet of retail and 413 residential units combined.

When completed, the redevelopment of the Town Center will create a new downtown core that will feature easy public access via the recently renovated CalTrain station and VTA bus station which hopefully will encourage out of area shoppers to visit. These highly desirable public transportation options will help augment the already existing easy access to the downtown via heavily used Mathilda Avenue and the abundant surrounding residential districts.

G. Five Year Goals and Objectives

The implementation plan provisions of the CRL require the Agency to establish goals and objectives for the Project Area for the five-year planning period. The following major goals and objectives are being pursued by the Agency, which are the same as those for the overall Redevelopment Program:

Goal 1 Meet the Agency's existing financial and administrative obligations.

Objective 1.1 Make all current debt service payments on Tax Allocation Bonds.

Objective 1.2 Make all reimbursements to the City of current year City payments on the Town Center parking garage COPs, and continue to reduce the balance of the 1977 City Loan.

Objective 1.3 Adequately and timely perform all reporting, accounting, and administrative functions imposed by the CRL and prudent governmental practice including accurate accounting of the housing fund deficit and deficit reduction plan.

Goal 2 Establish the downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.

Objective 2.1 Establish a downtown with Class A office buildings and residential uses around a vibrant retail district with easy parking and public transportation types.
Objective 2.2 Continue public/private partnerships in the development of office, retail, entertainment, housing, and open space facilities.
Objective 2.3 Create a unique shopping, dining, entertainment experience in the downtown, combining new restaurants with small shops, major retail stores and theatre with easy, available parking and strong pedestrian connections to other parts of the downtown.
Objective 2.4 Continue to encourage and nurture private investment in commercial, retail, office and residential developments.
Objective 2.5 Support special events in the downtown.
Objective 2.6 Implement the Downtown Specific Plan objectives and support updates to the Specific Plan that reflect the changing economic opportunities.

Goal 3 Implement specific actions such as the provision of public improvements in an attractive and cohesive physical form, which clearly identifies Sunnyvale's downtown.

Objective 3.1 Complete the priority improvements in phases to the downtown civic plaza.
Objective 3.2 Facilitate the redevelopment of the Town Center to provide for an open-air, pedestrian-oriented, retail, office, entertainment and residential development.
Objective 3.3 Complete the priority streetscape projects to facilitate an attractive pedestrian environment and to promote development on adjacent parcels.
Objective 3.4 Support the redevelopment of the Town and Country site to provide for a retail and residential development with strong pedestrian connections to other parts of the downtown.

Goal 4 Development and implementation of an overall parking strategy that meets the needs of retail, office, housing and visitor demand.

Objective 4.1 Support an overall short-term and long-term parking strategy for the downtown that encourages transit use, addresses commuter parking and optimizes parking use based on office, retail, and entertainment peaks.
Objective 4.2 Pursue funding opportunities for additional public parking as needed to support downtown development.

Goal 5 Increase housing opportunities.

Objective 5.1 Maintain the character and density of single-family neighborhoods surrounding the downtown.

Objective 5.2 Encourage mixed housing consisting of market rate and affordable housing in appropriate locations including the proposed Town Center redevelopment, the Town and Country area, and transit corridors in or near the downtown.

II. Non-Housing Implementation Plan

This section describes the five-year Non-Housing Redevelopment Program, including a summary of the project and activity descriptions, deficiencies to be corrected and estimated revenues and expenditures. As they are implemented, the projects and activities may be modified over time to better serve the purposes of redevelopment. The cost estimates are preliminary and subject to refinement as the Redevelopment Program planning and implementation proceed. Some of these projects and activities may not be completed within the five years of the Implementation Plan, and thus, related costs may not be incurred.

A. Redevelopment Program FY 2009/10 – FY 2013/14

The Agency has undertaken projects and activities in the Project Area to alleviate blighting conditions and attain the Redevelopment Program goals and objectives. The projects and activities can be categorized into six basic program categories, as described below.

1. Meet the Agency's existing financial and administrative obligations.

The Agency will continue to have administrative and operational requirements in meeting its existing obligations by:

- Making payments on the Central Core Tax Allocation Bonds;
- Reimbursing the City for the City's payment of current debt service on the Town Center parking garage Certificates of Participation;
- Making payments toward the Agency's other debt obligations, particularly the 1977 City Loan;
- Performing all reporting, accounting, and administrative functions imposed by the CRL and prudent governmental practice including accurate accounting of the housing fund deficit and deficit reduction plan;
- Administering the financial provisions of a tax increment sharing plan requiring annual property tax tracking and payment to the developer of the negotiated and approved Amended and Restated Disposition Development and Owner Participation Agreement of the Town Center;

- Administering the Agency's budget and financial projections;
- Monitoring all Agency agreements for compliance of requirements; and
- Reviewing and monitoring Redevelopment legislation.

2. Establish the downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.

The Agency's revitalization activities will focus on establishing the downtown as a center of activity for the community by:

- Administering the negotiated and approved Amended and Restated Disposition Development and Owner Participation Agreement with the developer of the Town Center to provide a new pedestrian-oriented, mixed-use, open-air mall including affordable housing, replacement parking, and a multiple screen theater;
- Supporting the redevelopment of the Town and Country property as a residential/retail mixed use project;
- Supporting special events in the downtown; and
- Implementing the Downtown Specific Plan objectives.

3. Implement specific actions such as the provision of public improvements in an attractive and cohesive physical form, which clearly identifies Sunnyvale's downtown.

To establish a unique downtown as contemplated by the Specific Plan, the Agency will assist the City, through non-tax increment resources, in providing needed Project Area infrastructure by:

- Supporting the enforcement traffic mitigation measures within and surrounding the proposed Town Center redevelopment;
- Enhancing the pedestrian connections;
- Administering the Infrastructure Improvement Agreement to reestablish the connection of McKinley Avenue and Taaffe Street to allow vehicle and pedestrian traffic through the redesigned Town Center area;
- Supporting the development of miscellaneous street improvements, including special sidewalk paving, lighting fixtures, benches, landscaping, landmarks and gateways;
- Constructing the Historic Murphy Avenue streetscape re-design of the 100 Block of Murphy Avenue consisting of modifications to existing sidewalk layout and replacement of existing decorative concrete and pavers in the street. Additional enhancements will include new street furnishings, new lighting, new planters, new tree grates, and replacement of the irrigation system;
- Administering the Town Center remediation of hazardous materials; and
- Implementing a comprehensive wayfinding signage program that will be augmented as projects begin and needs change.

4. Development and implementation of an overall parking strategy that meets the needs of retail, office, housing and visitor demand.

An adequate amount of accessible and affordable public parking is crucial to the success of downtown. The Agency will assist the City in providing adequate parking by:

- Completing an overall parking strategy to insure that there is adequate parking for the activities envisioned for the downtown;
- Administering the development agreement for the Town Center that will build, maintain, repair and replace all parking structures. A minimum of 4,950 parking spaces will be provided (inclusive of the private parking spaces for the residential units), 1,112 of which will be underground; and
- Exploring the use of Mello-Roos financing for the new Public Parking Structures in which the Agency will purchase the Public Parking Structures from the Developer upon completion and enter into the Public Parking Maintenance Agreement.

5. Increase Housing Opportunities.

Housing is an important component to an economically viable downtown. The Agency's housing activities will focus on maintaining existing neighborhoods and establishing new mixed housing opportunities consisting of market rate and affordable housing in appropriate downtown locations and near transit corridors by:

- Maintaining the character and density of single-family neighborhoods surrounding the downtown;
- Administering the negotiated and approved Amended and Restated Disposition Development and Owner Participation Agreement with the developer of the Town Center to provide for 292 housing units in the project with 12.5 percent of the total ownership housing units developed as below market rate units; and
- Supporting the redevelopment of the Town and Country property as a residential/retail mixed use project supplying 264 rental units with 15 percent below market rate units.

B. Linkage between Proposed Redevelopment Program and Elimination of Blighting Influences

The Midterm Review provides an update of how the goals, objectives, programs and expenditures for the five-year planning period will serve to eliminate blighting conditions in a project area. The five-year Redevelopment Program as further described herein will continue the process of improving the Project Area and alleviation blighting conditions.

Within the Project Area the following physical conditions continue to be significant: poor site conditions, poor building conditions, and parcels of irregular shape and form. Economic blighting conditions, including impaired investments, commercial vacancies and the underutilization of commercial parcels, continue to inhibit the ability of this area to improve without continuing assistance from the Redevelopment Agency. The economic decline is also evident in underutilization of real estate, the presence of marginal businesses, declining retail sales, and low lease rental rates. The physical decline is evident in the absence of modern real improvements to low lease storefronts and the absence of adequate parking facilities. In particular the Town Center, a 36-acre downtown redevelopment project stalled at 40 percent complete.

As a key element of the Redevelopment Program, the Agency and the City negotiated an Amended Disposition, Development and Owner Participation Agreement (ADDOPA) to redevelop the Town Center and replace the deteriorated parking. Other Redevelopment Program activities may include facilitating the acquisition and assembly of small, underutilized and/or poorly configured parcels of land that would otherwise be inadequate for modern development. The proposed Redevelopment Program would foster economic growth, attract more people to the downtown, and develop more retail by reinvigorating commercial uses. New development will add value to tax rolls, encourage further development, generate demand for Project Area properties and increase property values. The proposed program would also provide an incentive for existing owners and the private sector to reinvest in their underutilized and blighted properties.

The provision of adequate and easily accessible parking will assist in the retention and attraction of businesses within the Project Area. The construction and upgrade of necessary public improvements and facilities such as the Historic Murphy Avenue streetscape redesign of the 100 Block of Murphy Avenue and the infrastructure improvements of the Town Center project will provide downtown businesses with improved public health, safety and welfare due to better pedestrian and vehicular traffic circulation and access, and enhanced aesthetics through streetscape design and construction. The parking projects will meet the demand generated by new development.

The expected benefits of redevelopment projects include:

- Increased commercial rents and retail sales volumes;
- Owner upgrades to existing properties;
- Increased assessed values from new development;
- Renewed interest in the downtown; and
- Enhanced job growth opportunities.

The work envisioned over the implementation period intends to continue programs that have helped create an environment supportive of downtown office and retail development. Through programs that encourage building owners and merchants to rehabilitate and reinvest in their properties, the Agency is directly confronting both the physical and economic blight that still remains.

Due to the Agency’s significant outstanding debt obligations, one of the Agency's primary activities for the five-year Implementation Plan period will be to repay existing debt obligations related to the Agency's Tax Allocation Bonds and Certificates of Participation and the 1977 City Loan. These debts were incurred by the Agency to fund the original public investment in the Town Center Mall, including land assembly and write-down, site preparation, and parking garage construction. The combined public/private effort to develop the Town Center Mall, in turn, eliminated certain blighting conditions in the Project Area identified at the time of adoption of the Redevelopment Plan in 1975. In effect, by continuing to pay debt service costs on the debts incurred in 1977, the Agency is continuing to finance activities that alleviated those original blighting influences and will enable the City to assist in future redevelopment of the Town Center.

The Agency will continue to address remaining blighting influences in the Project Area through its planning activities. These activities include the redevelopment of the Town Center into an open-air, pedestrian-oriented mixed-use center for retail, housing, and entertainment, encouraging the redevelopment of the Town and Country area for housing and retail, provision of increased public parking, a downtown plaza, streetscape improvements and pedestrian linkages. These activities will help eliminate blighting conditions including: age, obsolescence, deteriorated structures, economic stagnation resulting in high vacancy rates and low retail sales volumes and the lack of adequate public infrastructure, including lack of traffic circulation improvements and off-street parking.

Table II-1 on the following page provides a matrix summarizing the relationship between proposed goals, objectives, projects and activities and how they will eliminate blight.

C. Five-Year Implementation Plan Revenues

The Agency has two primary potential revenue sources: debt issuance proceeds and annual tax increment revenues. The source and uses of Agency revenues are summarized in Table II-2.

1. Debt Issuance Proceeds

The Agency does not anticipate incurring any new debt during the Five-Year Plan period. The Agency is accruing pre-established Town Center redevelopment and Agency administration debt which was adopted in a repayment agreement between the Redevelopment Agency and the City by Council on December 18, 2003 (RDA 03-014).

2. Annual Tax Increment Revenues

Tax increment revenues generated in the Project Area during the five-year planning period are projected to be approximately $49 million and are expected to be fully applied to Agency administration, Supplemental Educational Revenue Augmentation Fund (SERAF) payments and debt service obligations. Because of the Agency's high level of outstanding debt obligations, almost all tax increment generated revenue will be used to repay these debts during the five-year Implementation Period. The only funds available for Non-Housing projects are those amounts reserved in Capital Projects Funds that were generated from non-tax increment sources. (The projected tax increment in the five-year planning period still maintains an increase in assessed values from the planned redevelopment of the Town Center and Town and Country projects.) The available annual tax increment revenues and the uses of these funds are summarized in Table II-2.

Table II-1
Linkage of Five-Year Programs and Activities with Elimination of Blight

Program Categories and Activities	Blighting Conditions				
	Deficient & Deteriorated Buildings	Physically Obsolete Buildings/ Lack of Parking	Deteriorated and/or Inadequate Utilities	Depreciated or Stagnant Property Values/ Economically Obsolete Buildings	Inadequate Public Improvements
Meet the Agency's existing financial and administrative obligations					
Make payments on the Central Core Tax Allocation Bonds.		●	●	●	●
Reimburse the City for the City's payment of debt service on parking garage Certificates of Participation.		●	●	●	●
Make payments toward the Agency's other debt obligations, particularly the 1977 City Loan.	●	●	●	●	●
Administer the financial provisions of a tax increment sharing plan for the development agreement (ADDOPA) of the Town Center property.	●	●	●	●	●
Establish the downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.					
Administer development agreement (ADDOPA) for the Town Center property to provide a new pedestrian-oriented, mixed use project.	●	●	●	●	●
Support the redevelopment of the Town and Country Property.	●	●	●	●	●
Implement the Downtown Specific Plan objectives	●	●	●	●	●
Implement specific actions such as the provision of public improvements in an attractive and cohesive physical form, which clearly identifies Sunnyvale's downtown.					
Enforce traffic mitigation measures within and surrounding the proposed Town Center redevelopment.			●	●	●
Enhance pedestrian connections.			●	●	●
Administer Infrastructure Improvement Agreement to reestablish and reconnect McKinley Ave. and Taaffe St. to allow vehicle and pedestrian traffic flow through the redesigned Town Center area.			●	●	●
Construct Murphy Ave. streetscape improvements, including special sidewalk paving, lighting fixtures, benches, landscaping.			●	●	●
Administer Town Center remediation of hazardous materials.	●	●	●	●	●
Implement wayfinding signage program.			●	●	●
Development and implementation of an overall parking strategy that meets the needs of retail, office, housing and visitor demand.					
Administer development agreement (ADDOPA) with the selected developer for the Town Center to provide replacement and additional parking.		●	●	●	●
Increase housing opportunities.					
Maintain the character and density of single family neighborhoods surrounding the downtown.	●				
Encourage mixed housing consisting of market rate and affordable housing in appropriate locations including the proposed Town Center redevelopment, the Town and Country area, and transit corridors in or near downtown.	●			●	●

Table II-2
Agency Revenue Available for Non-Housing Redevelopment Activities
FY 2009/10 - FY 2013/14

1	2	3	4	5	6	7	8	9
Year	Net Tax Increment Revenues To Agency(a)	Less: Pass-through Payments & Agency Admin (b)	Less: SERAF Payments(c)	Less: Housing Set-Aside	Other Agency Income (d)	Less: Non-Housing Debt Obligations(e)	Net Debt Issuance Proceeds	Total Funds Available for Non-Housing Projects (f)
Fund Balance through FY 2008/09								$6,658,191
FY 2009/10	$9,730,974	$361,466	$2,024,110	$0	$0	$7,345,398	$0	$0
FY 2010/11	$9,166,693	$336,465	$416,322	$0	$42,751	$8,456,657	$0	$0
FY 2011/12	$9,097,199	$346,602	$0	$0	$100,000	$8,850,597	$0	$0
FY 2012/13	$9,456,542	$356,219	$0	$0	$100,000	$9,200,323	$0	$0
FY 2013/14	$11,520,169	$248,753	$0	$0	$100,000	$11,371,416	$0	$0
Total	$48,971,577	$1,649,505	$2,440,432	$0	$342,751	$45,224,391	$0	$6,658,191

(a) Figures equal the amount remitted to the Agency, which includes the gross tax increment revenues and supplemental AV revenue less County admin fee. Projection assumes increased assessed values from Town Center Mall redevelopment. During the five year Plan period, tax increment generated from the mall will be used to repay debt obligations to the City.

(b) This figure only includes Agency admin costs since the Agency currently has no pass through payments.

(c) AB 26 4x required that redevelopment agencies throughout California collectively contribute to the Supplemental Education Revenue Augmentation Fund (SERAF).

(d) Estimated interest income.

(e) Includes pre-1986 debt obligations to Central Core Redevelopment Project Tax Allocation Refunding Bonds, 1998 Parking Facility, Series A, Certificates of Participation; and City General Fund.

(f) Figures equal the sum of net tax increment, other agency income and net debt issuance proceeds. Opening fund balance represents non-tax increment generated amounts reserved for capital projects.

3. Other Agency Income

Approximately $342,751 in other Agency income is projected during the five year plan period.

4. Non-Agency Financial Resources

Wherever possible, the Agency has been and will continue to leverage other funds in connection with its redevelopment efforts. The Agency has targeted local, state and federal funding sources to assist in financing eligible projects. As permitted by law, possible funding sources include government grants and assistance programs, as well as private sector sources.

To a limited extent, the City's development impact fees generated from new development will be a source of public infrastructure and facilities funding when feasible. The Agency will also pursue funds from federal programs including CDBG and HOME Funds, in addition to state and county funds.

D. Five-Year Implementation Plan Expenditures

1. Proposed Program Expenditures – Five-Year Period

The Agency has developed programs to implement its goals and objectives for the current five year implementation plan period as described in Section A above. The Agency has identified over $51.9 million in estimated costs of the FY 2009/10 - FY 2013/14 program of non-housing activities, as summarized in Table II-3.

The non-housing program costs over the five-year implementation period exceed the estimated Agency resources for non-housing activities due to the fact that most all of the Agency's financial resources are dedicated to repayment of pre-1986 debt obligations. Thus, the Agency will continue to defer some programs or leverage other funding sources in order to undertake its non-housing programs and activities.

2. Proposed Programs and Expenditures – Project Life

It is assumed that some program activities proposed by the Agency for this implementation plan period may not necessarily occur as planned in the five-year period or may not occur at all. It is also possible that other non-tax increment programs not listed in this Implementation Plan may instead be pursued. Further, some of the activities to be undertaken beyond the five-year planning period of this Implementation Plan may actually take place within the five-year planning period if development needs or opportunities warrant undertaking the activities.

The projects, activities and expenditures contained in the Implementation Plan are in part based on certain assumptions made by the Agency relating to revenues, SERAF payments, market conditions, community needs and priorities, and resident and developer interest. Consequently, should Agency assumptions not be realized or unforeseen circumstances arise, further mid-course modifications in programs and this Implementation Plan may be required.

Table II-3
Projected Five Year Non-Housing Redevelopment Program Expenditures
FY 2009/10 - FY 2013/14

Non-Housing Program Category and Project Description	Proposed Agency Expenditures FY 2009/10 - FY 2013/14 (a)
Meet the Agency's existing financial and administrative obligations	
Make payments on the Central Core Tax Allocation Bonds.	$3,031,953
Reimburse the City for the City's payment of debt service on parking garage Certificates of Participation.	$6,034,698
Make payments toward the Agency's other pre-1986 debt obligations, particularly the 1977 City Loan.	$36,157,740
Administer the financial provisions of a tax increment sharing plan for the development agreement (ADDOPA) of the Town Center property.	N/A
Establish the Downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.	
Administer development agreement (ADDOPA) for the Town Center to provide a new pedestrian-oriented, mixed use project.	N/A
Support the redevelopment of the Town and Country Property.	N/A
Implement the Downtown Specific Plan objectives.	N/A
Implement Specific Actions such as the provision of public improvements in an attractive and cohesive physical form, which clearly identifies Sunnyvale's downtown.	
Enforce traffic mitigation measures within and surrounding the proposed Town Center redevelopment.	N/A
Enhance pedestrian connections.	N/A
Administer Infrastructure Improvement Agreement to reestablish and reconnect McKinley Ave. and Taaffe St. to allow vehicle and pedestrian traffic through the new Town Center development.	$3,729,726
Construct Murphy Ave. streetscape improvements, including special sidewalk paving, lighting fixtures, benches, and landscaping.	$656,428
Administer Town Center remediation of hazardous materials.	$2,272,037
Implement wayfinding signage program.	N/A
Development and implementation of an overall parking strategy that meets the needs of retail, office, housing and visitor demand.	
Administer development agreement (ADDOPA) with the selected developer for the Town Center to provide replacement and additional parking.	N/A
Increase housing opportunities.	
Maintain the character and density of single family neighborhoods surrounding the downtown.	N/A
Encourage mixed housing consisting of market rate and affordable housing in appropriate locations including the proposed Town Center redevelopment and transit corridors in or near downtown.	N/A

(a) These listed expenditures do not represent the complete funding needed for each of these projects. Because the Agency uses most of its financial resources to repay existing debt obligations, the Agency will seek to leverage its resources with additional funding opportunities including any non-tax increment generated revenue, local, state and federal grants and assistance programs, as well as private sector sources. Furthermore, there is no remaining tax increment revenue for the Agency to pay general administrative costs or to undertake new activities. Any such administrative costs and new activities can only be undertaken with additional monetary advances (Post-1986 debt) from the City, the repayment of which will come after the pre-1986 debt obligations are met which is projected around 2015, given the Agency's existing obligations and annual tax increment revenue flow.

III. Housing Component

This chapter comprises the Midterm Review of the housing component of the Implementation Plan, summarizing the Agency's housing obligations pursuant to the legal requirements of the CRL. Redevelopment agencies are expressly required to undertake activities that will assist in "increasing, improving, and preserving the community's supply of low and moderate income housing." However, for reasons described below, the Agency is not statutorily required, and will not have revenues available, to actively participate in a program of affordable housing provision over the five-year Implementation Plan period.

This chapter is organized as follows:

- Section A presents an overview of the Agency's affordable housing responsibilities.
- Section B discusses funding for affordable housing activities and describes the history, current status, and projected deficits in deposits to the Housing Fund that the Agency will incur over the Implementation Plan period.
- Section C addresses the statutory requirement for a Housing Production Plan.
- Section D addresses the statutory requirement for a Replacement Housing Plan.

A. Overview of CRL Affordable Housing Requirements

The housing portion of the Implementation Plan is required to set forth specific goals and objectives for the five year Implementation Plan period (FY 2009/10 - FY 2013/14), present estimates of specific Housing Fund deposits, projects and expenditures planned for the five year implementation period, and explain how the stated goals, objectives, deposits, programs, projects and expenditures will produce affordable housing units to meet these obligations. The CRL requires an implementation plan to include the following affordable housing planning components:

- Amount available in the Housing Fund, estimates of annual deposits into the Housing Fund during the five year Implementation Plan period, and the Agency's plans for using the annual deposits to the Housing Fund.
- The Housing Production Plan, which includes the total number of housing units to be produced and the number of affordable housing units to be produced for three different time periods:
  - For the five year period (FY 2009/10 - FY 2013/14),
  - For the ten year compliance period (FY 2009/10 - FY 2018/19), and
  - For the life of the Redevelopment Plan (through 2028).
- If a planned project will result in the destruction of existing affordable housing, identification of proposed locations for replacement housing that the Agency would be required to produce.

For the reasons specified below, only the Housing Fund requirement is applicable to the Agency in its administration of the Redevelopment Plan for the Project Area.

B. Housing Fund Status and Deficit Reduction Plan

The CRL requires an agency to set aside in a separate Low and Moderate Income Housing Fund at least 20 percent of all tax increment revenue generated from its project areas. The funds must be used for the purpose of increasing, improving and preserving the community's supply of affordable housing. Such housing must be available at affordable housing cost and occupied by households of very low, low or moderate income. (Sections 33334.2 and 33334.3)

The Agency first became subject to this Housing Fund deposit requirement in 1986, when the CRL was revised to require agencies administering redevelopment project areas adopted prior to 1976, such as the Central Core Redevelopment Project Area, to make such deposits to the extent that the Agency had sufficient funds available to make these deposits. Through FY 1992/93, the Agency made a finding authorized by the CRL that exempted it from the Housing Fund deposit requirement due to its pre-1986 debt obligations. This exemption under the CRL was no longer available after 1993. Instead, starting in FY 1993/94 the Agency has deferred making deposits into its Housing Fund and is accumulating a deficit obligation because no tax increment revenue remains after the Agency has paid obligations on debts entered into before 1986 (consisting of the debt on the Tax Allocation Bonds, the Certificates of Participation, and the amounts owed on the 1977 City Loan).

The Agency is not projected to have tax increment revenue remaining after paying its pre-1986 debt obligations with which to make a deposit to the Housing Fund throughout the Implementation Plan period. The Agency has already made the CRL-required finding to this effect for FY 2011/12, and expects this to continue for each remaining fiscal year of the Implementation Plan period. As a result, the Agency expects to create a deficit in its Housing Fund deposits of about $20.5 million by the end of this Implementation Plan period, as indicated in Table III-1.

Because it does not anticipate any Housing Fund deposits and because it does not have any other direct sources of funding for affordable housing activities, the Agency does not expect to assist in the development of any new, rehabilitated or price-restricted affordable housing units during any of the five years of the Implementation Plan period. However, the Agency does expects that new affordable housing units will be built in the project area during this plan period as development occurs on the Town Center and Town and Country sites that are subject to the City's Below Market Rate regulations for the production of affordable housing. Also, the City will continue to undertake an active affordable housing assistance program, including rehabilitation of rental and ownership housing and new construction of family housing. Additionally the City will continue to utilize its Below Market Rate Program and undertake affordable housing and support service activities.

In June 1994, the Agency first adopted its Housing Fund deficit reduction plan as required by Health and Safety Code Section 33334.6(g) and later modified the plan as permitted by the CRL. The deficit reduction plan calls for the Agency to reduce its Housing Fund deficit by making extra deposits into the Housing Fund in future years after the following three payments have been made:

1. full repayment of all amounts owed on pre-1986 debt,
2. deposits of 20 percent of current year tax increment revenue into the Housing Fund, and
3. payments to reduce debt incurred in the future for new redevelopment activities.

If full build-out of the Specific Plan occurs over the next 17 years, it is projected that the Agency still would not be able to eliminate the Housing Fund deficit with tax increment revenue from the Project Area before the normal expiration of the Redevelopment Plan in 2028. In that case, the Agency will avail itself of the specific provisions of the CRL that require the City and the Agency to extend the duration of the Redevelopment Plan and/or the amount of tax increment revenue that can be received under the terms of the Redevelopment Plan to the extent necessary to eliminate any remaining Housing Fund deficit (see Health and Safety Code Sections 33333.4(a) and 33333.6(g)).

In connection with preparation of its future annual budgets and any corresponding finding regarding deferral of deposits into the Housing Fund, the Agency will monitor and adjust its Housing Fund deficit reduction plan to reflect changing financial conditions.

Table III-1
Estimated Housing Fund Deficit
FY2009/10 - FY 2013/14

Fiscal Year	20% of Gross Tax Increment Revenue	Estimated Deposit to Housing Fund	Deficit in Housing Fund Deposits
Accumulated Deficit through FY 08/09			($10,667,213)
2009/10	$1,965,833	$0	($1,965,833)
2010/11	$2,040,290	$0	($2,040,290)
2011/12	$1,819,440	$0	($1,819,440)
2012/13	$1,891,308	$0	($1,891,308)
2013/14	$2,304,034	$0	($2,304,034)
TOTAL	$10,020,905	$0	($20,688,118)

C. Affordable Housing Production Requirement

Redevelopment agencies administering project areas created by redevelopment plans adopted on or after January 1, 1976 and territory added to project areas by amendments adopted on or after January 1, 1976 must meet an affordable housing production requirement. Since the Project Area was established in 1975, this requirement does not apply to the Agency and no production plan is required (Section 33413(d)(1)).

D. Replacement Housing Requirement

In general, when residential units housing low and moderate income persons are destroyed or taken out of the low-and moderate-income market as part of a redevelopment project, a redevelopment agency must replace those units within a specified time in accordance with a plan adopted by the Agency following public review.

The replacement housing requirement applies to project areas established by redevelopment plans (or areas added by amendments) adopted on or after January 1, 1976. For redevelopment agencies that are administering project areas established prior to 1976, the replacement housing obligation will become applicable only with respect to dwelling units removed from the housing stock as a result of redevelopment activities on or after January l, 1996.

The Agency has incurred no replacement housing obligation under the CRL to date. The Agency has no plans to remove housing from the Project Area as part of a redevelopment project and is not anticipated to incur a replacement housing obligation during the five-year Implementation Plan period. However, if the Agency were to incur a replacement housing obligation, the Agency will meet all CRL requirements including the preparation of a specific replacement housing plan prior to removal of such units.