

State of California



Fair Political Practices Commission

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May 15, 1984

Ralph H. Prince
City Attorney
300 North "D" Street
San Bernardino, CA 92418

Re: Our Advice File No. A-84-045

Dear Mr. Prince:

This letter is sent in response to your letter requesting advice on behalf of Councilmember Gordon E. Quiel. Mr. Briggs of your office kindly provided me with additional materials in this matter. The following advice is provided pursuant to Government Code Section 83114(b).^{1/}

QUESTION

Is Mr. Quiel precluded from participating in the Council/Agency decision on the proposed Redevelopment Plan for the Uptown Project Area because he owns a business and real property in the Area?

CONCLUSION

Based on the facts presented, Mr. Quiel may participate in the Council/Agency decision on the proposed Redevelopment Plan for the Uptown Project Area.

FACTS

Mr. Quiel is a member of the Common Council of the City of San Bernardino ("City"). The Mayor and Common Council also serve as the legislative body of the Redevelopment Agency ("Agency"). Currently, the City and the Agency are initiating studies and reports in preparation for a decision by the Agency on a proposed Redevelopment Plan ("Plan") for the Uptown Project

^{1/} All statutory references are to the Government Code unless otherwise noted.

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Area ("Area") pursuant to Health and Safety Code Section 33000, et seq., Mr. Quiel has the following financial interests within the Area.^{2/}

1. A 50% ownership interest valued at over \$100,000 in a parcel of real property located at 2167 No. Lugo which is commercially zoned and improved with a roller rink.

2. A 50% ownership interest valued at more than \$100,000 in S&Q Enterprises which does business as Stardust Roller Rink. Mr. Quiel received both salary and rent from S&Q Enterprises in 1983 in an amount greater than \$10,000.

The Proposed Project Area

Currently the City has nine Redevelopment Project Areas (Exhibit "C" to your letter dated March 1, 1984). The proposed Uptown Project Area encompasses approximately 311 acres and is divided into two Subareas "A" and "B". Of the 1,198 lots in the Area, 1,060 are developed and 138 are undeveloped. Within the Area, there are 633 residences, 591 various business enterprises, and 30 industrial enterprises.^{3/} Approximately half of the land in the Area is zoned commercial (C-2, C-3, C-3A and C-4). Mr. Quiel's property and business is located within a C-3 commercial zone and is subject to a conditional use permit.

The proposed Redevelopment Plan for the Area is written in fairly general terms; it allows for a wide variety of uses in the Area and sets forth broad development standards.^{4/} The only specific terms relate to the proposed density requirements.

According to your letter of March 1, 1984:

The purpose of the proposed Redevelopment Plan is to provide an orderly plan for the elimination of blight which is prevalent throughout the proposed Project Area. However,

^{2/} This information was obtained from your letter of March 1, 1984, and Mr. Quiel's 1983 Statement of Economic Interests.

^{3/} In the City, there are 46,458 residences, approximately 5,000 business enterprises and approximately 1,000 to 2,000 industrial enterprises.

^{4/} A copy of the proposed Preliminary Plan was sent to me by Mr. Briggs with a letter dated March 22, 1984.

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it is not currently anticipated by the Agency Staff that specific development projects, land clearance, parcel assembly, special assessment improvement projects and other types of specific public improvement programs will be specified in the Redevelopment Plan. Instead, the adoption of the Redevelopment Plan is intended to implement the first stage of the redevelopment process. As specific projects are formulated, the Redevelopment Plan may require an amendment pursuant to Health and Safety Code Section 33450, et seq., in order to facilitate the implementation of such projects.

My understanding, from conversations with Mr. Briggs of your office, is that there are no specific projects or plans for the Area at the present time. He stated in his letter to me dated March 22, 1984:

I have been informed by the Executive Director of the Redevelopment Agency that there is no individual project or development presently planned for developing any specific part of the Uptown Redevelopment Project Area, and no developer has made any proposal regarding any such project as yet. This will primarily be an "infill" project with an attempt to fill in the many empty spaces in the residential and commercial areas, as I understand the project. There are no plans for razing large areas, to put in shopping centers or an industrial complex or anything along those lines. No large complex, as such, is presently anticipated.

ANALYSIS

Section 87100 prohibits public officials from making, participating in making, or in any way attempt to use their official positions to influence a governmental decision in which they know or have reason to know they have a financial interest.

Financial interest is defined in Section 87103 as a reasonably foreseeable material financial effect of the decision on:

(a) Any business entity in which the public official has a direct or indirect investment worth more than one thousand dollars (\$1,000).

(b) Any real property in which the public official has a direct or indirect interest worth more than one thousand dollars (\$1,000).

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(c) Any source of income, other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the public official within 12 months prior to the time when the decision is made.

(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.

Under the facts presented, Mr. Quiel could have a conflict of interest on two grounds. One, since Mr. Quiel is an officer of, and has an investment in, S&Q Enterprises and S&Q Enterprises is a source of income to him within the meaning of Section 87103, he must refrain from participating in any Council or Agency decisions which could foreseeably result in a material financial effect on S&Q Enterprises which is distinguishable from the decision's effect on the public generally. In addition, since Mr. Quiel has an interest in real property, he must not participate in any decisions which could materially affect the value of that property.

Effects on S&Q Enterprises

The questions in this situation are (1) whether the Agency decision on the preliminary Plan for the Area will have a foreseeable and material financial effect on S&Q Enterprises ("the business") and (2) if there is such an effect on the business, whether that effect is distinguishable from the effect on the public generally, or a significant segment thereof.

The Commission has provided guidelines for determining whether a decision will have a material financial effect on a business entity in 2 Cal. Adm. Code Section 18702(b) (1):

(1) Whether, in the case of a business entity in which the public official holds a direct or indirect investment of one thousand dollars (\$1,000) or more or in the case of a business entity in which the public official is a director, officer, partner, employee, trustee or holds any position of management, the effect of the decision will be to increase or decrease:

- of: (A) The annualized gross revenues by the lesser
1. One hundred thousand dollars (\$100,000);
 - or
 2. One percent if the effect is one thousand dollars (\$1,000) or more; or
- (B) Annual net income by the lesser of:
1. Fifty thousand dollars (\$50,000); or
 2. One half of one percent if the effect is one thousand dollars (\$1,000) or more; or
- of: (C) Current assets or liabilities by the lesser
1. One hundred thousand dollars (\$100,000);
 - or
 2. One half of one percent if the effect is one thousand dollars (\$1,000) or more.

Current assets are deemed to be decreased by the amount of any expenses incurred as a result of a governmental decision.

It does not appear that an Agency decision on the Preliminary Plan will have an identifiable impact on the gross revenues or value of business enterprises in the Area including S&Q Enterprises. This assessment is based on the following facts: (1) the Plan is written in general terms, and none of the provisions will have a specific effect on business in the Area; (2) the Plan does not include any specific projects or programs for revitalizing the business climate in the Area; and (3) no costs or assessments are imposed on businesses in the Area.

Clearly, this analysis and the conclusion apply only to the decision on the Plan; proposals for implementing the Plan will have to be carefully reviewed for possible effects on Mr. Quiel's business. In this regard, I would like to note that business enterprises in the Area are not "a significant segment of the public generally" within the meaning of Section 87103 and

2 Cal. Adm. Code Section 18703. If a decision on the implementation of the Plan will have a foreseeable, material financial effect on all of the businesses in the Uptown Area, Mr. Quiel must disqualify himself from participating in that decision.

Effects on 2167 No. Lugo

Since commercial property owners are clearly not a significant segment of the public generally, the question for analysis here is whether the decision on the adoption of the Plan will have a material financial effect on the fair market value, or the income producing potential, of Mr. Quiel's property.^{5/} Simply stated, the basic issue is whether the value of the property will be significantly affected by the fact that it is located in an area designated for redevelopment.

The issues of materiality and foreseeability are closely related. A starting place for the analysis must be an examination of the intended effects of the decision. Here the intended effects are fairly clear: the general purpose of designating a Redevelopment Area and adopting a Plan is to revitalize and rehabilitate an area which is economically blighted. Health & Safety Code Section 33000.

^{5/} 2 Cal. Adm. Code Section 18702(b)(2) provides:

(2) Whether, in the case of a direct or indirect interest in real property of one thousand dollars (\$1,000) or more held by a public official, the effect of the decision will be to increase or decrease:

(A) The income producing potential of the property by the lesser of:

1. One thousand dollars (\$1,000) per month;
or
2. Five percent per month if the effect is fifty dollars (\$50) or more per month; or

(B) The fair market value of the property by the lesser of:

1. Ten thousand dollars (\$10,000); or
2. One half of one percent if the effect is one thousand dollars (\$1,000) or more.

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In the proposed Plan for the Uptown Project Area, it is stated that "the thrust of the Project is commercial revitalization and rehabilitation which would also positively impact the Project Area and the surrounding neighborhood." Preliminary Plan, Page 9. Accordingly, the intent in adopting this Plan would be to enhance the value of commercial enterprises in the area and to attract new business.^{6/} However, the Plan, as currently proposed, is very general and vague on how this goal will be accomplished. As I noted above, we have been informed that no specific projects or programs have been proposed, and that the methods for the implementation of the Plan have not yet been determined. The Plan does not authorize the expenditure of any Agency funds. The adoption of the Preliminary Plan is viewed as the necessary first step in setting up the legal framework for redevelopment in the Area. If this is the case and no other serious alternatives are on the table,^{7/} then the sole issue is whether the adoption of the Plan by itself will increase the value of Mr. Quiel's property.

Although the adoption of a Redevelopment Plan often has a material financial effect on the commercial property owners in the Redevelopment Area, under the specific circumstances presented here, it does not appear that the adoption of the Plan itself will have a significant effect on the market values of business property in the area.^{8/} Accordingly, Mr. Quiel may participate in the Agency decision on the Plan.

If I can be of further assistance, please feel free to contact me at 916/322-5901.

Sincerely,



Diane Maura Fishburn
Counsel, Legal Division

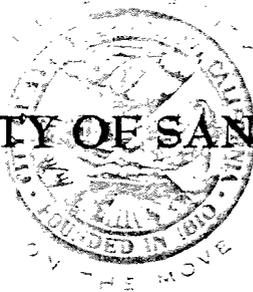
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^{6/} Oglesby Opinion, 1 FPPC Ops. 71, No. 75-083.

^{7/} For example, if a proposal were made to adopt a Plan which included specific projects or more specific development guidelines and requirements instead of the proposed Plan, Mr. Quiel would have to disqualify himself from participation in the decision on the proposal.

^{8/} We would suggest, however, that your office consult with the City or County Assessor to confirm this conclusion.

CITY OF SAN BERNARDINO 1100 NORTH "K" STREET, SAN BERNARDINO, CALIFORNIA 92418



March 1, 1984

RALPH H. PRINCE
CITY ATTORNEY

Mr. John Keplinger
Executive Director
Fair Political Practices Commission
1100 "K" Street
Post Office Box 807
Sacramento, California 95804

Dear Executive Director:

This request is being submitted to you in my role as City Attorney of the City of San Bernardino, California (the "City"). The City is a charter city and in my capacity as City Attorney one of my duties is to advise the Mayor and the members of the Common Council regarding the applicability of certain provisions of the Political Reform Act of 1974 to actions contemplated by the City. The Mayor and Common Council (the "Council") also serve as the legislative body of the Redevelopment Agency of the City of San Bernardino (the "Agency").

Currently, the City and the Agency are initiating certain studies and reports necessary for the further consideration by the Council and Agency members of a proposed Redevelopment Plan for the Uptown Project Area (the "Redevelopment Plan"). In this regard a member of the Council has requested that the advice of the Executive Director of the Fair Political Practices Commission (the "Commission") be obtained concerning his eligibility to participate in the adoption by the Agency and the Council of the Redevelopment Plan. Therefore, pursuant to Government Code Section 83114(b), I am submitting this request for written advice regarding the eligibility of Council/Agency member Gordon E. Quiel to participate in the adoption of the Redevelopment Plan.

Questions Presented:

Mr. Quiel has an ownership interest in a parcel of improved real property and is a shareholder and a salaried corporate officer of the roller skating rink business located thereon. It is anticipated that said property and business will be included within the redevelopment project area which shall be described in the Redevelopment Plan. The value of such property and the income which the property and the business located thereon provide to Mr. Quiel both exceed the sum of ten thousand dollars (\$10,000).

Does the ownership of such a business and the property on which it is located prevent a Council/Agency member from participating in the adoption of the proposed Redevelopment Plan upon the basis of the facts presented herein?

The Redevelopment Plan As Proposed

The Agency is currently in the early stages of the planning and consideration of a Redevelopment Plan for the Uptown Project Area. Said Redevelopment Plan shall be prepared by the Agency and approved and adopted by ordinance of the Council pursuant to Health and Safety Code Section 33000, et seq. The creation of the Uptown Project Area, as presently proposed, will encompass approximately three hundred eleven (311) acres of land.

Approximately thirty-two and seven-tenths percent (32.7%) of the land located within the proposed Project Area is used for public streets and rights-of-way, parks, governmental and other institutional uses. The property and business in which Mr. Quiel has an interest is located within a C-3 commercial zone and is subject to a conditional use permit in accordance with applicable City zoning regulations. Property which is zoned for uses permitted within the C-3 zone composes approximately twenty-seven and eight-tenths percent (27.8%) of all land located within the proposed Project Area. A total of approximately forty-nine and six-tenths percent (49.6%) of the land located within the proposed Project Area is designated within the following commercial zones: C-2, C-3, C-3A and C-4. The balance of the privately owned land within the proposed Project Area is devoted to residential, professional office, commercial manufacturing and manufacturing uses. Attached hereto as Exhibit "A" is a map showing the boundary perimeter of the proposed Project Area. Attached hereto as Exhibit "B" is a set of tables which have been compiled by the City Planning Department Staff and which identifies the types of land uses which are found within the proposed Project Area.

The purpose of the proposed Redevelopment Plan is to provide an orderly plan for the elimination of blight which is prevalent throughout the proposed Project Area. However, it is not currently anticipated by the Agency Staff that specific development projects, land clearance, parcel assembly, special assessment improvement projects and other types of specific public improvement programs will be specified in the Redevelopment Plan. Instead, the adoption of the Redevelopment Plan is intended to implement the first stage of the redevelopment process. As specific projects are formulated, the Redevelopment Plan may require an amendment pursuant to Health and Safety Code Section 33450, et seq., in order to facilitate the implementation of such projects.

Currently there are nine (9) different redevelopment project areas within the City. Said redevelopment project areas are identified on Exhibit "C" attached hereto. As shown on Exhibit "C" approximately six hundred fifty-seven and nine-tenths (657.9) acres of land located within the nine (9) existing redevelopment project areas of the City are designated for commercial uses. There is a total of approximately one thousand seven hundred seventy-two and six-tenths (1,772.6) acres of land within the City which is devoted to commercial land uses. If the proposed Redevelopment Plan is adopted, approximately forty-nine and two-tenths percent (49.2%) of all commercially zoned land within the City will be located within a redevelopment project area.

Council/Agency Member Gordon E. Quiel

Mr. Gordon E. Quiel is a member of the Council and an Agency member. The City Charter of the City provides for each member of the Council to be elected from a particular councilmatic district or ward. Mr. Quiel represents the citizens of the Fifth Ward of the City and also resides in said Ward, the property and roller skating rink business described above, are located in the Second Ward, and are included in the proposed Project Area. However, the proposed Project Area does not include that portion of the Fifth Ward in which Mr. Quiel's residence is located. Nevertheless, portions of several other Council Wards are also included within the proposed Project Area.

Each member of the Council receives a salary for services to the City of \$600 annually, payable monthly. Each member of the Council is reimbursed for his expenses. Each member of the Council receives \$30 per Agency meeting in addition to reimbursements for certain expenses. In the typical case, a member of the Council also works at a full time job or pursues his or her professional or business interests in addition to performing his or her responsibilities as an elected member of the Council.

Mr. Quiel has an interest in three different businesses which are located in the City. One of these businesses, as described above, is located within the proposed Project Area. The second business in which Mr. Quiel is a major shareholder and executive officer is Quiel Brothers Electric Sign Service Company, Inc., which manufactures and services display and advertising signs for businesses and industry. Recently, Mr. Quiel has acquired an interest in an advertising firm, Big Board, Inc., which is also located in the City. However, neither the electric sign business nor the new advertising firm are located in the proposed Project Area.

As mentioned above, Mr. Quiel owns a certain commercially zoned property within the proposed Project Area which is improved for use as a roller skating rink. Mr. Quiel is also a principal shareholder in S & Q Enterprises, Inc., doing business as Stardust Roller Rink which is located on the property owned by him in the proposed Project Area at 2167 North Lugo, San Bernardino, California. The real property on which said business is located is valued in excess of ten thousand dollars (\$10,000), Mr. Quiel receives income from said business in excess of ten thousand dollars (\$10,000) per year and the value of Mr. Quiel's portion of S & Q Enterprises, Inc., also probably exceeds ten thousand dollars (\$10,000).

In addition, Mr. Quiel also owns several deeds of trust for property located in the City. A copy of Mr. Quiel's Form 721 Statement of Economic Interest is on file with the City Clerk and is also attached to this request for advice as Exhibit "D" hereto.

The Stardust Roller Rink operates pursuant to a Conditional Use Permit issued under applicable City zoning regulations. However, the Redevelopment Plan is not anticipated to affect said zoning designation.

Effect of the Adoption of the Redevelopment Plan on the Financial Interests of Council/Agency Member Gordon E. Quiel

The proposed governmental decision which prompts this request for advice is the preparation of the Redevelopment Plan by the Agency. The approval of a redevelopment plan by the Agency and the adoption of an approved redevelopment plan by an ordinance of the Council is a legislative act. The adoption of an approved redevelopment plan by ordinance is subject to the referendum provisions of Health and Safety Code Sections 33365 and 33378 and Section 121 of the City Charter.

In its published opinions, the Commission has outlined the analysis for determining whether a public official is required to disqualify himself or herself from participation in a governmental decision. In the Thorner opinion the Commission stated this analysis as follows:

"Under the foregoing sections, several elements must be present before a public official is required to disqualify himself from participation in a governmental decision. First, it must be reasonably foreseeable that the governmental decision will have a financial effect. Second, the anticipated financial effect must be on a financial interest of the official, as defined in Sections 87103(a) through (d). Third, the anticipated financial effect must be material. And fourth, the governmental decision's anticipated financial effect on the official's financial interest must be distinguishable from its effect on the public generally." 1 FPPC 198, 202 (Thorner, 1975).

In the discussion which follows it is this first level of analysis which, in my opinion, determines the outcome of this request for advice regarding the financial interests of Mr. Quiel. The Redevelopment Plan is not currently anticipated to provide for any specific public improvements which will affect the property or business interests of Mr. Quiel. Furthermore, the Redevelopment Plan will not have any foreseeable financial effect upon property which Mr. Quiel owns elsewhere in the City including the home in which Mr. Quiel resides and which is located in the Fifth Ward.

The Redevelopment Plan will provide the necessary and legal framework for the study and further planning of specific redevelopment projects which will remedy the problems found in the Project Area which are associated with blight. At such time as specific public improvement projects are proposed and formulated, it may be possible to identify specific effects or impacts of such specific projects and improvements upon the property and business interests of Mr. Quiel.

Despite the absence of any foreseeable or specific financial effect on Mr. Quiel, the adoption of the Redevelopment Plan may nevertheless have a material financial effect on Mr. Quiel in much the same manner as the adoption of the Redevelopment Plan affects the public generally or a significant segment of

the public. It is my opinion that in such a case the fourth level of analysis, as stated in Thorner, supra, is applicable to this request for advice.

The Commission has noted in one of its decisions that "one of the major goals of a redevelopment plan is increasing property values, in particular within the project area and less directly within the entire community. In redeveloping the blighted areas of the community, all property becomes more valuable, particularly that which has been redeveloped." 1 FPPC 75, 80 (Oglesby, 1975); see also 3 FPPC 38, 41 (Gillmor, 1977).

As mentioned above, the adoption of the Redevelopment Plan may eventually result in a material financial effect on the real property owned by Mr. Quiel in the Project Area by increasing its fair market value by the lesser of either \$10,000 or one-half of one percent ($\frac{1}{2}\%$) of its fair market value. 2 Cal.Admin. Code Section 18702(b)(2)(B) 1 and 2. However, such a material financial effect is dependent upon whether certain other official action is taken after the adoption of the Redevelopment Plan. Although the Commission has previously noted that the implementation of a redevelopment plan may increase property values, it must be emphasized that such an increase is realized only at such time as one or more specific programs, such as the execution of an Owner Participation Agreement or a Disposition and Development Agreement are authorized by the Agency following the appropriate public hearings. As mentioned above, no unique or special public improvements are contemplated in the proposed Redevelopment Plan. Therefore, it is not reasonably foreseeable that the adoption of the Redevelopment Plan will have a material financial effect on Mr. Quiel.

The language cited above from Oglesby and Gillmor, supra, refers to specific redevelopment activities which were intended to implement a redevelopment plan. For example, in the Oglesby opinion the Commission was requested to consider the case of a city councilmember who had:

"... disclosed ownership interest in three properties within the project area, several blocks from the proposed civic center. These include his real estate office and two rental properties... (the) real estate business includes participation in the Eastern Contra Costa Board of Realtors multiple listing services. By reason of such participation, Mr. Whatley may offer properties listed in the service to his customers, including properties in the redevelopment area."
Oglesby, supra, p. 71

Furthermore, the redevelopment plan under consideration in Oglesby included five specific projects:

- "(1) Construction of a civic center downtown.
- (2) Construction of a freeway off-ramp and related improvements.
- (3) Improvement of a major arterial from two-lane to four-lane.

- (4) Street improvements in Assessment District No. 11.
- (5) Preparation of a commercial and industrial site and circulation plan."

Oglesby, supra, p. 71.

As the Commission noted in connection with the specific public improvements described in Oglesby, supra:

"With regard to the specific plan under consideration in Antioch, the creation of a new civic center will undoubtedly increase the value of property located nearby. Improved freeway access will raise the value of the property in the vicinity of the new off-ramp. The widened highway presumably provides a benefit to surrounding property. Street improvements have an obvious and immediate impact on the property in the assessment area. Finally, the preparation of a plan for commercial and industrial sites will, to the extent it is successful, affect property value to various extents throughout the city.

All the parts of the proposed plan before us will result in increased property values. That is the plan's contemplated and proper purpose." Oglesby, supra, p. 80.

The highly specific projects which were identified in the proposed Antioch redevelopment plan could reasonably be expected to have material financial effects on certain property owners such as the Mayor of Antioch. The Antioch situation is therefore distinguishable from the Redevelopment Plan for the Uptown Project Area in terms of the lack of foreseeability of material financial effects upon the financial interests of Mr. Quiel.

The Redevelopment Plan does not contain proposals for specific public improvements or redevelopment programs which may foreseeably affect the material financial interests of Mr. Quiel. Of course, at such time as such specific public improvement projects are proposed, a different analysis of the facts may be necessary. If, for example, a special assessment district is proposed as part of the Redevelopment Plan which would provide certain public improvements on the street on which Mr. Quiel's business is located, or a site is designated for land assembly purposes in close proximity to Mr. Quiel's business, the situation in the Uptown Project Area would more closely resemble the factual background presented to the Commission in Oglesby.

Specific proposals for the construction and redevelopment of specific parcels of property in the vicinity of Mr. Quiel's business have not been proposed. This fact also lends support to a determination that the mere adoption of the Redevelopment Plan will not have a reasonably foreseeable material financial effect upon the business and property interests of Mr. Quiel. The proposed Redevelopment Plan merely provides the legal framework for the analysis and

preparation of specific redevelopment activities which may occur within the Project Area and would require subsequent Agency official action on such matters. However, the nature of an eventual proposal and the identification of one or more specific redevelopment projects which may have a material financial effect upon the property and business interests of Mr. Quiel are not ascertainable at this time.

At such time as a specific redevelopment project activity is proposed which may have a foreseeable and material economic effect upon Mr. Quiel another analysis of his financial interests, as defined by Government Code Section 87103, may be necessary. In Gillmor, supra, the Commission noted that a specific high-rise apartment project proposal in a redevelopment project area which had been previously established pursuant to a City of Santa Clara ordinance had a positive financial impact upon investments in nearby properties owned by the mayor. If a proposal similar to the one analyzed in the Gillmor opinion were proposed in the Uptown Project Area on a site in close proximity to his business property and interests, Mr. Quiel would in all likelihood be disqualified from further participation. However, as mentioned above, such facts are not applicable to this request for advice to the Commission.

It is also important to emphasize that the adoption of a redevelopment plan does not in itself automatically result in an increase or decrease in general property values. Such a general change in property values is the result of implementation of a redevelopment plan. Furthermore, the adoption of the Redevelopment Plan will not result in the levy of higher property taxes, increase any existing special assessments, make any property liable for new special assessments or change applicable zoning or land use standards.

The effect of the adoption of a redevelopment plan which provides a specific program for the creation and operation of a street or other special assessment as part of redevelopment has been examined by the Commission in 4 FPPC 19 (Brown, 1978). In Brown, supra, the Commission noted that the creation of such an improvement district would result in the imposition or levy of a special assessment on property owners. Based upon the effect of the levy of the special assessment, the Commission ruled that two councilmembers who owned property within the proposed special assessment district would experience a material economic effect with regard to their business properties. Brown, supra, p. 21. Therefore, the conclusions reached in Brown are not applicable to the facts in the case of Mr. Quiel.

Nevertheless, a determination that Mr. Quiel may have a material economic interest in his business property which may foreseeably be affected by the adoption of the Redevelopment Plan does not necessarily preclude his participation in its adoption. As stated above, the eligibility of Mr. Quiel to participate in the adoption of the Redevelopment Plan may also turn upon whether its adoption will foreseeably and materially affect the value of the real property upon which his business is located in a manner different from its effect on the public generally. See 4 FPPC 62, (Ferraro, 1978). Commission Regulation 2 Cal.Admin. Code Section 18703 provides:

"A material financial effect of a governmental decision on an official's interests, as described in Government Code Section 87103(a) through (d), is distinguishable from its effect on the public generally unless the decision will affect the official's interest in substantially the same manner as it will affect all members of the public or a significant segment of the public. Except as provided herein, an industry, trade or profession does not constitute a significant segment of the general public."

The Commission has considered the question of "distinguishable effects" in several of its published opinions. The reasoning of those opinions does not appear to disqualify Mr. Quiel from participating in the adoption of the proposed Redevelopment Plan. The financial interests of Mr. Quiel will be affected by the adoption of the proposed Redevelopment Plan in substantially the same manner as the adoption of the proposed Redevelopment Plan will affect all members of the public or a significant segment of the public.

In the Matter of William L. Owen (2 FPPC 77 (1976)) the Commission was asked to consider the eligibility of several public officials to participate in the adoption of a specific land use plan. In analyzing the facts in that case the Commission focused its reasoning upon "whether the effects of the decisions on the officials' financial interests are distinguishable from an effect on the public generally." 2 FPPC 77, 80 (supra).

One of these public officials was a planning commissioner whose house was located near the boundary of the "core area" to be included within the specific plan. The second was a planning commissioner who was also a principal in a limited partnership which acted as a commercial landlord and which also owned commercial property which was under construction in the core area. The third public official was a councilmember who was also a limited partner in a retail business which leased space in an existing commercial building in the core area.

The Commission concluded in Owen that the homeownership by the first planning commissioner did not disqualify him from participation in the governmental decision involving the specific land use plan. "While certain aspects of the plan may operate to increase the value of this home either as residential or commercial property, it is apparent that the plan will have a 'substantially similar' effect on numerous other residential properties, perhaps throughout the entire city as well as those near the 'core area'." 1 FPPC 77, 81 (supra).

The Commission reached a contrary conclusion with respect to the second planning commissioner. The Commission noted that commercial landlords or developers do not comprise a significant segment of the public:

"Furthermore, the effect of the plan will be much more direct and particular in benefitting such persons and their interests. The benefit to be realized by persons with interests such as those of Mr. Willett (the second planning commissioner) appears to be immediate; and the decisions to

be made in adopting the 'core area' plan appear crucial to the success of the investment. For example, it seems likely that adoption of certain proposals for the 'core area' would serve to increase the value of Commissioner Willett's property but could, on the other hand, serve to increase the number of competing leased property owners and hence, the profit to be realized by the building itself. We cannot conclude that an effect of a decision on Commissioner Willett's investment qualifies as an effect on any significant segment of the public generally. Rather, aspects of the plan are likely to have particular and identifiable effects on Commissioner Willett's investment. Accordingly, we conclude that he is barred from participating in decisions on those aspects of the plan which will materially affect his investment." 2 FPPC 77, 81-82 (supra). (emphasis added)

With respect to the councilmember who operated a commercial retail establishment on leased premises the Commission did not find that his economic interests barred his involvement with the specific plan.

"There is no reason to believe that the value of Councilman Black's interest will be affected differently from other retail merchants. For example, there is no indication that the plan will have a particularly beneficial (or harmful) effect on food stores. Nor need we be concerned with any possible effects of the plan on the value of the land on which Councilman Black's store is located. . . . Councilman Black merely leases space on a rather short-term basis, and thus the proposed changes in the character of the area will affect only the amount of income to be derived from the store, not the intrinsic value of the property itself. Furthermore, there is no evidence that the adoption of the plan, or any of its provisions, will serve to create any adverse effect on retail businesses outside the 'core area.' Accordingly, the provisions of the Political Reform Act do not appear to bar Councilman Black's participation. Again, however, where Councilman Black's interests may be affected in a singular fashion by an aspect of a 'core area' plan decision, his participation on this aspect may be barred." 2 FPPC 77, 82-83.

The decision of the Council to adopt the proposed Redevelopment Plan will affect Mr. Quiel in substantially the same manner as it will affect all members of the public or a significant segment of the public. 2 Cal.Admin. Code Section 18703. The homeowner planning commissioner and the retail merchant councilmember in Owen were members of a class identified by the Commission as "the public generally" or "a significant segment of the public." Mr. Quiel is a member of the same class with respect to his participation in the adoption of the proposed

Project. He is a fifty percent (50%) shareholder of a roller skating rink business located in the Project Area on land which he also owns. Mr. Quiel's situation is very different from the case of the planning commissioner in Owen who was a commercial landlord and real estate developer. Unlike the situation in Owen, the adoption of the Redevelopment Plan is not crucial to the economic success or well-being of Mr. Quiel's business.

Mr. Quiel is also a member of the broader business community in the City. In the Owen opinion the Commission noted that the business community ". . . may reasonably be regarded as 'the public generally' within the meaning of (Government Code) Section 87103 and our regulations." 2 FPPC 77, 82. The business community in the City is composed of large and diverse groups of citizens. In addition, if the proposed Redevelopment Plan is approved by the Agency and the Council, approximately forty-nine and eight-tenths percent (49.8%) of the City's existing commercially zoned property will be included within redevelopment project area boundaries. Furthermore, the largest single classifications of land uses within the Project Area (excluding public streets and parks) are the C-2, C-3 and C-3A commercial zones. Mr. Quiel's business and the real property on which it is situated is within such a commercial zone.

CONCLUSION

It is not reasonably foreseeable that the adoption of the Redevelopment Plan will have a material economic effect on the financial interests of Mr. Quiel. No cost, assessment or other financial liability shall be imposed upon Mr. Quiel merely because his property is included in the Project Area pursuant to the Redevelopment Plan. In addition, the designation of a redevelopment project area does not directly result in the expenditure of any Agency funds for the elimination of blight nor does the mere existence of a redevelopment plan benefit any particular parcel of property in a redevelopment project area. Each specific expenditure to eliminate blight must be separately approved by the Agency, and in some instances by the Council as the legislative body, after the approval of the Redevelopment Plan. Thus, unlike the situations examined in Oglesby, Gillmor and Brown, the approval of the Redevelopment Plan by the Common Council will not in itself authorize the expenditure of any sums which may specifically benefit property owned by Mr. Quiel nor the property of any other commercial property owner.

Notwithstanding the assumption that the adoption of the Redevelopment Plan may have a generally positive effect on the value of all property located within the proposed Project Area there are no facts to indicate that such a general effect will specially benefit Mr. Quiel or any other small segment of the local business community. Such an effect would be general and involve or benefit substantially all owners of property in the Project Area in the same manner.

In the short term, no material financial effect upon Mr. Quiel is likely to occur as a result of the adoption of the Redevelopment Plan. Any long term financial effect upon his property or business in the proposed Project Area is contingent upon the adoption of specific redevelopment programs by the Agency.

See Oglesby and Gillmor. Thus, it is not reasonably foreseeable that Mr. Quiel will be financially affected in a material manner by the mere adoption of the Redevelopment Plan. Of course, specific programs authorized after the adoption of the Redevelopment Plan could have a material financial effect on Mr. Quiel personally or on his various business interests and real property holdings. In such cases Mr. Quiel would be disqualified from participation as a Council/Agency member. However, the anticipated effect of the Redevelopment Plan on the financial interests of Mr. Quiel is not such to require his disqualification at this time in connection with the adoption of the Redevelopment Plan.

The proposed Redevelopment Plan as well as the ongoing activities of the Agency have generated a good deal of interest among the citizens of the City. The Agency Staff is currently preparing plans for involving other residents and property owners of the Project Area in a Project Area Committee in connection with the adoption of the Redevelopment Plan. Some of Mr. Quiel's constituents in the Fifth Ward live in residences located within the proposed Project Area. The extent of the property interests of Mr. Quiel in the proposed Project Area is a matter of public record. Under these circumstances there is little incentive for the public interest to be disregarded by a Council/Agency member in favor of those which are personal in nature. As a member of the Council representing the Fifth Ward, Mr. Quiel represents a significant segment of the community and it is hardly surprising that he has a business located within the Second Ward and the proposed Project Area.

As City Attorney I respectfully request the Executive Director of the Commission to review the foregoing analysis. It is my opinion that in the case of Mr. Gordon E. Quiel, it is not reasonably foreseeable that the adoption of the Redevelopment Plan will have a material financial effect on his financial interests. In the event a material financial effect on Mr. Quiel is found to exist, it nevertheless appears that the adoption of the proposed Redevelopment Plan will affect his financial interests in substantially the same manner as it will affect a significant segment of the City. Based upon the foregoing reasoning, I believe that Mr. Quiel is eligible to participate in the adoption of the proposed Redevelopment Plan in view of the fact that its adoption will not have an effect on Mr. Quiel which is distinguishable from its effect on the public generally.

If I may be of any assistance to your office in connection with this request for advice, please do not hesitate to call me at your earliest convenience.

Very truly yours,

OFFICE OF THE CITY ATTORNEY
CITY OF SAN BERNARDINO



Ralph H. Prince
City Attorney

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance •• Administration •• Executive/Legal •• Enforcement •• Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

March 21, 1984

Alan Briggs
Assistant City Attorney
City of San Bernardino
800 North "D" Street
San Bernardino, CA 92418

Re: Your Request for Advice
Our File No. A-84-045

Dear Mr. Briggs:

This letter is sent to confirm my conversation with you today concerning the above advice letter. I told you I needed additional information and materials in order to prepare my response. You agreed to provide me with the following at your earliest convenience:

- (1) A copy of the preliminary Redevelopment Plan proposed for the Uptown Project Area;
- (2) A copy of Mr. Quiel's 1983 Statement of Economic Interests;
- (3) Information concerning specific development projects proposed for the Uptown Area if the preliminary Plan is adopted by the Agency if there are any such projects; and
- (4) Information concerning sources of income to Mr. Quiel -- whether they do business or have other interests in the Uptown Area, and, if so, the nature of their business or interest. This would include sources of income to Quiel Bros. Electric Sign Service Co., Inc.

Thank you for your assistance in this matter.

Sincerely,

Diane Maura Fishburn
Staff Counsel
Legal Division

DMF:plh

State of California



Fair Political Practices Commission

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(916) 322-5662 322-5660 322-5901 322-6441 322-6444

March 27, 1984

Alan Briggs
Assistant City Attorney
City of San Bernardino
800 North "D" Street
San Bernardino, CA 92418

Re: Your Request for Advice
Our File No. A-84-045

Dear Mr. Briggs:

Thank you for the materials you sent me concerning the above advice letter. In addition to more information concerning Mr. Quiel's financial interest, as I detailed in my letter of March 21, 1984, I need the following statistics to prepare my response on the "public generally" issue:

1. The total number of business enterprises in the City, and the number located in the Uptown Project Area;
2. The total number of industrial enterprises in the City, and the number located in the Uptown Project Area;
3. The total number of residences in the City, and the number located in the Uptown Project Area;
4. The number of developed and undeveloped lots in the City, and the number in the Uptown Project Area;
5. Any other statistics that you may have regarding the make-up of the City and the Project Area.

If there are any problems in obtaining these statistics, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane Maura Fishburn".

Diane Maura Fishburn
Staff Counsel
Legal Division

DMF:plh



FORM 721

Statement of Economic Interests

FILED

MAR 11 1984

CITY CLERK'S OFFICE

Important Notice To Filers: The Political Reform Act is intended to prevent conflicts of interests by requiring public officials such as yourself to disclose financial interests which could foreseeably cause conflicts. In addition, as a public official, you may be required to disqualify yourself from making, participating in, or attempting to influence any governmental decision which will affect your financial interests, including those you are required to report on this Statement. The Fair Political Practices Commission's *Guide to the Political Reform Act: California's Conflict of Interest Law for Public Officials* explains what a conflict of interest is, and when disqualification is required by law. Failure to file your Statement before the filing deadline may result in penalties including but not limited to late fines.

Please type or print in ink

Name Gordon Eugene Quiel	
Office Held or Sought (e.g. county supervisor, city council member, etc.) City Council Member	
Mailing Address 575 West 34th St., San Bernardino, California	Telephone Number 714-885-4476

State of California
 County of _____
 City of San Bernardino

Check the appropriate box(es):

- CANDIDATE STATEMENT.** File no later than the final filing date for your declaration of candidacy. Complete Schedules A, B and C disclosing interests held on the date of filing.
- ASSUMING OFFICE STATEMENT.** Not required of elected state officers assuming office in December or January, who should instead file annual Statements. (See page 2 of the Form 721 Manual.)
- Elected Official** (other than elected state officers assuming office in December or January). File within 30 days after assuming office. Complete Schedules A, B and C disclosing interests held on the date of assuming office, which was _____ mo. _____ day _____ yr.
- Appointed Official, not subject to confirmation** by the State Senate or the Commission on Judicial Appointments. File within 10 days after assuming office. Complete Schedules A, B and C disclosing interests held on the date of assuming office, which was _____ mo. _____ day _____ yr.
- Appointed Official, subject to confirmation** by the State Senate or the Commission on Judicial Appointments. File within 10 days after appointment or nomination. Complete Schedules A, B and C disclosing interests held on the date of appointment or nomination, which was _____ mo. _____ day _____ yr.
- ANNUAL STATEMENT.** State officials and judges file between January 1 and March 1. City and county officials file between January 1 and April 1. Complete all Schedules disclosing interests held or received at any time during the period covered by the Statement.
Period Covered: Disclose all reportable interests held or received during the period from January 1, 1983, through December 31, 1983.
- LEAVING OFFICE STATEMENT:** File within 30 days after leaving office. Complete all Schedules disclosing interests held or received at any time from January 1, 198____, to the date of leaving office, which was _____ mo. _____ day _____ yr.

Schedule A—Investments

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY Quiel Bros. Electric Sign Service Co., Inc		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST Common Stock			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY Sign mfg & service			<input checked="" type="checkbox"/> Over \$100,000
<input checked="" type="checkbox"/> ACQUIRED	2/61	OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input checked="" type="checkbox"/> 10% or greater
NAME OF BUSINESS ENTITY S & Q Enterprises Inc. dba Stardust Roller Rink		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST Common Stock			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY Roller skating			<input checked="" type="checkbox"/> Over \$100,000
<input checked="" type="checkbox"/> ACQUIRED	7/71	OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input checked="" type="checkbox"/> 10% or greater
NAME OF BUSINESS ENTITY Big Board Inc.		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST Common stock			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY Advertising			<input checked="" type="checkbox"/> Over \$100,000
<input checked="" type="checkbox"/> ACQUIRED	1/1/83	OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input checked="" type="checkbox"/> 10% or greater
NAME OF BUSINESS ENTITY		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY			<input type="checkbox"/> Over \$100,000
<input type="checkbox"/> ACQUIRED		OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input type="checkbox"/> 10% or greater
NAME OF BUSINESS ENTITY		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY			<input type="checkbox"/> Over \$100,000
<input type="checkbox"/> ACQUIRED		OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input type="checkbox"/> 10% or greater
NAME OF BUSINESS ENTITY		VALUE	<input type="checkbox"/> \$1,001-\$10,000
NATURE OF INTERESTS, E.G., COMMON STOCK, PARTNERSHIP INTEREST			<input type="checkbox"/> \$10,001-\$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY			<input type="checkbox"/> Over \$100,000
<input type="checkbox"/> ACQUIRED		OWNERSHIP INTEREST	<input type="checkbox"/> Less than 10%
<input type="checkbox"/> DISPOSED	DATE		* <input type="checkbox"/> 10% or greater

* If you have checked this box, you must report the interests in real property and investments held by the business entity on Schedule C; your pro rata share of the business' total gross income on Schedule D; and if your pro rata share of the gross income from any one source was \$10,000 or more, the name of that source on Schedule H.

If more space is needed, attach an additional Schedule A.

Schedule B—Interests in Real Property

(SEE INSTRUCTIONS ON PRECEDING PAGE)

STREET ADDRESS OR PRECISE LOCATION OF PROPERTY 272 So. I St.	CITY San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input checked="" type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Deed of trust		
<input checked="" type="checkbox"/> ACQUIRED 1962 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input checked="" type="checkbox"/> 10% or greater	
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY 280 So. I St.	CITY San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input checked="" type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Deed of trust		
<input checked="" type="checkbox"/> ACQUIRED 1975 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input checked="" type="checkbox"/> 10% or greater	
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY 2167 No. Lugo	CITY San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input checked="" type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Deed of trust		
<input checked="" type="checkbox"/> ACQUIRED 1973 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input checked="" type="checkbox"/> 10% or greater	
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY Parcel #137 091 39 - 232 So. I St.	CITY San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input checked="" type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Deed of trust		
<input checked="" type="checkbox"/> ACQUIRED 11/5/74 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input checked="" type="checkbox"/> 10% or greater	
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY Parcel #151 161 32 Top of Mountain-Circle	CITY Dr. San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Equity		
<input checked="" type="checkbox"/> ACQUIRED 1978 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input type="checkbox"/> 10% or greater	
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY Parcel #137 091 53 J St. (So of Congress)	CITY San Bernardino	Value <input type="checkbox"/> \$1,001-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION Deed of trust		
<input checked="" type="checkbox"/> ACQUIRED 1970 <input type="checkbox"/> DISPOSED DATE	If Rental Property, Ownership Interest is <input type="checkbox"/> Less than 10% * <input checked="" type="checkbox"/> 10% or greater	

* If you have checked this box, you must report your pro rata share of the total gross rental income (if \$250 or more) on Schedule D; and if your pro rata share of the gross rental income from any source was \$10,000 or more, you must report the name of that source on Schedule H.

If more space is needed, attach an additional Schedule B.

SCHEDULE B -- INTEREST IN REAL PROPERTY (CONTINUED)

Parcel #137 091 93 50 - 272 So. J St.	San Bernardino	over \$100,000
Deed of trust		
Acquired 1967		10% or greater

Schedule C—Interests in Real Property and Investments Held by Business Entities or Trusts

(SEE INSTRUCTIONS ON PRECEDING PAGE)

Schedule C-1 Interests in Real Property

Name of Business Entity or Trust Holding Interests in Real Property		
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY	CITY	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION		
<input type="checkbox"/> ACQUIRED		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
<input type="checkbox"/> DISPOSED DATE		
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY	CITY	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION		
<input type="checkbox"/> ACQUIRED		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
<input type="checkbox"/> DISPOSED DATE		
STREET ADDRESS OR PRECISE LOCATION OF PROPERTY	CITY	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INTEREST, E.G., EQUITY, OPTION		
<input type="checkbox"/> ACQUIRED		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
<input type="checkbox"/> DISPOSED DATE		

Schedule C-2 Investments

NAME OF BUSINESS ENTITY OR TRUST HOLDING INVESTMENTS		
NAME OF BUSINESS ENTITY		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST		
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	<input type="checkbox"/> ACQUIRED <input type="checkbox"/> DISPOSED DATE	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NAME OF BUSINESS ENTITY		
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	<input type="checkbox"/> ACQUIRED <input type="checkbox"/> DISPOSED DATE	
NAME OF BUSINESS ENTITY		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST		
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	<input type="checkbox"/> ACQUIRED <input type="checkbox"/> DISPOSED DATE	Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NAME OF BUSINESS ENTITY		
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST		Value <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	<input type="checkbox"/> ACQUIRED <input type="checkbox"/> DISPOSED DATE	

If more space is needed, attach an additional schedule C.

Name Gordon Eugene Quiel

Schedule D—Income (other than Gifts and Loans)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF SOURCE OF INCOME Quiel Bros. Electric Sign Service Co., Inc.	Amount <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS OF SOURCE OF INCOME 272 So. I St., San Bernardino	
BUSINESS ACTIVITY OF SOURCE OF INCOME, IF ANY Sign mfg. & service	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED Salary and rent	
NAME OF SOURCE OF INCOME S & Q Enterprises Inc. dba Stardust Roller Rink	Amount <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS OF SOURCE OF INCOME 2167 No. Lugo, San Bernardino	
BUSINESS ACTIVITY OF SOURCE OF INCOME, IF ANY Roller rink	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED Salary and rent	
NAME OF SOURCE OF INCOME Global TV	Amount <input type="checkbox"/> \$250-\$1,000 <input checked="" type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF SOURCE OF INCOME 280 So. I St., San Bernardino, Ca.	
BUSINESS ACTIVITY OF SOURCE OF INCOME, IF ANY TV Broadcasting	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED Rent	
NAME OF SOURCE OF INCOME Alberta Gregory	Amount <input type="checkbox"/> \$250-\$1,000 <input checked="" type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF SOURCE OF INCOME 642 W. 10th St., San Bernardino, Ca.	
BUSINESS ACTIVITY OF SOURCE OF INCOME, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED Trust deed payment	
NAME OF SOURCE OF INCOME	Amount <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF SOURCE OF INCOME	
BUSINESS ACTIVITY OF SOURCE OF INCOME, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	

If more space is needed, attach an additional Schedule D.

Name Gordon Eugene Quiel

Schedule E—Loans (Received or Outstanding During the Period)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF LENDER American National Bank		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS OF LENDER 3rd & D St., San Bernardino		
BUSINESS ACTIVITY OF LENDER Bank		
SECURITY FOR LOAN <input checked="" type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE 1% above prime <input type="checkbox"/> NONE
NAME OF LENDER		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF LENDER		
BUSINESS ACTIVITY OF LENDER		
SECURITY FOR LOAN <input type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE <input type="checkbox"/> NONE
NAME OF LENDER		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF LENDER		
BUSINESS ACTIVITY OF LENDER		
SECURITY FOR LOAN <input type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE <input type="checkbox"/> NONE
NAME OF LENDER		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF LENDER		
BUSINESS ACTIVITY OF LENDER		
SECURITY FOR LOAN <input type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE <input type="checkbox"/> NONE
NAME OF LENDER		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF LENDER		
BUSINESS ACTIVITY OF LENDER		
SECURITY FOR LOAN <input type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE <input type="checkbox"/> NONE
NAME OF LENDER		Amount of Highest Balance <input type="checkbox"/> \$250-\$1,000 <input type="checkbox"/> \$1,001-\$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS OF LENDER		
BUSINESS ACTIVITY OF LENDER		
SECURITY FOR LOAN <input type="checkbox"/> NONE	ENTIRE LOAN REPAID <input type="checkbox"/>	INTEREST RATE <input type="checkbox"/> NONE

If more space is needed, attach an additional Schedule E.

**Schedule H—Income and Loans to Business Entities
(Including Rental Property)**

(SEE INSTRUCTIONS ON PRECEDING PAGE)

Schedule H-1

Income and Loans to Business Entities

NAME OF BUSINESS ENTITY Quiel Bros. Electric Sign Service Co., Inc.	ADDRESS OF BUSINESS ENTITY 272 So. I St., San Bernardino
ACTIVITY OF BUSINESS ENTITY Sign manufacturing and service	
NAMES OF SOURCES OF INCOME AND LOANS TO THE BUSINESS ENTITY Mobil Oil Corp	
Shell oil Corp.	
American National Bank	

Schedule H-2

Income From Rental Property

ADDRESS OF RENTAL PROPERTY	CITY
NAMES OF RENTERS	

Name Gordon Eugene Guterl

**Schedule H—Income and Loans to Business Entities
(Including Rental Property)**

(SEE INSTRUCTIONS ON PRECEDING PAGE)

**Schedule H-1
Income and Loans to Business Entities**

<small>NAME OF BUSINESS ENTITY</small> S & Q Enterprises Inc. dba Stardust Roller Rink	<small>ADDRESS OF BUSINESS ENTITY</small> 2167 No. Lugo, San Bernardino, Ca.
<small>ACTIVITY OF BUSINESS ENTITY</small> Skating rink	
<small>NAMES OF SOURCES OF INCOME AND LOANS TO THE BUSINESS ENTITY</small> none	

**Schedule H-2
Income From Rental Property**

<small>ADDRESS OF RENTAL PROPERTY</small>	<small>CITY</small>
<small>NAMES OF RENTERS</small>	

F P P C

CITY OF SAN BERNARDINO

300 North 26th Street, San Bernardino, California 92418

March 22, 1984

700.61, 770.9b, 13.311

RALPH H. PRINCE
CITY ATTORNEY

Diane Fishburn
Attorney at Law
Fair Political Practices Commission
1100 "K" Street
Post Office Box 807
Sacramento, California 95804

Re: Request for Opinion Re Councilman Gordon Quiel

Dear Ms. Fishburn:

Attached please find a copy of the Preliminary Plan for the Uptown Redevelopment Project adopted by the Community Development Commission on February 20, 1984, and a copy of Mr. Quiel's 1983 Statement of Economic Interests.

I have been informed by the Executive Director of the Redevelopment Agency that there is no individual project or development presently planned for developing any specific part of the Uptown Redevelopment Project Area, and no developer has made any proposal regarding any such project as yet. This will primarily be an "infill" project with an attempt to fill in the many empty spaces in the residential and commercial areas, as I understand the project. There are no plans for razing large areas, to put in shopping centers or an industrial complex or anything along those lines. No large complex, as such, is presently anticipated.

I have written to Councilman Quiel for further information to answer the one remaining aspect of your inquiry, that is, the extent of activities of the business entities in which he has a financial stake within the Project Area. I would expect to be able to provide that information very shortly.

Your interest and concern are greatly appreciated.

Very truly yours,



ALLEN R. BRIGGS
Assistant City Attorney

ARB:sbw

Enclosures

at
Preliminary No.

1 RESOLUTION NO. 4579

2 RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION
3 OF THE CITY OF SAN BERNARDINO APPROVING THE PRELIMINARY
4 PLAN FOR THE UPTOWN REDEVELOPMENT PROJECT AREA.

5 WHEREAS, the Planning Commission, on October 4, 1983, by the adoption of
6 Resolution No. 83-13, approved the Preliminary Plan for the Uptown
7 Redevelopment Project Area, and recommendation was made to the Mayor and
8 Common Council for its adoption.

9 NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED
10 BY THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO
AS FOLLOWS:

11 SECTION 1. The Preliminary Plan for the Uptown Redevelopment
12 Project Area, attached hereto as Exhibit "A", and by this reference
13 incorporated herein, is hereby approved.

14
15 SECTION 2. The Secretary of the Redevelopment Agency is hereby
16 authorized and directed to notify the County and the State Board of
17 Equalization of said proposed project area as provided for in Section 33337
18 and 33670 of the California Health and Safety Code.

19
20 Adopted: February 20, 1984

21 Approved as to Legal
22 Form and Adequacy:

23
24 By 
Wm. A. Flory, Agency Counsel

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at



REDEVELOPMENT AGENCY
OF THE CITY OF SAN BERNARDINO, CALIFORNIA

MEMORANDUM

DATE FEBRUARY 15, 1984
TO HONORABLE CHAIRMAN AND MEMBERS
OF THE COMMUNITY DEVELOPMENT COMMISSION
FROM GLENDA SAUL
EXECUTIVE DIRECTOR
SUBJECT UPTOWN PRELIMINARY PLAN

*2/20/84
Page 4579*

On October 24, 1983, the Preliminary Plan approved by the Planning Commission for the Uptown Project Area was presented for approval.

Upon motion, the Preliminary Plan was referred back to the Planning Commission with a request that they consider changing the Plan, on Page 6, Subsection "C", where it reads "Medium-High Density Residential - 15 to 24 Unit per net acre" to "15-36 Units per net acre."

The Planning Commission considered the requested change, but reaffirmed their original recommendation designating a density range of 15-24 Units per acre for Medium High Density Residential land use category.

The Preliminary is brought before you for adoption of the appropriate resolutions. You can adopt the Plan as recommended by the Planning Commission or direct the change as discussed on 10-24-83. The change may be made by interdelineation and the appropriate resolutions adopted.

Glenda Saul

GLENDA SAUL
Executive Director

GS:SL:jat

FORM MOTION: a) FOR ACTION BY THE COMMUNITY DEVELOPMENT COMMISSION

Move to adopt a Resolution of the Community Development Commission of the City of San Bernardino approving the Preliminary Plan for the Uptown Redevelopment Project Area. *10-24-83*

*15-24 units
per acre
7/2/84*

b) FOR ACTION BY THE MAYOR AND COMMON COUNCIL

Move approval of the Preliminary Plan for the Uptown Redevelopment Project Area, describing the boundaries of the project area, the reasons for redevelopment, how the purposes of the Community Redevelopment Law would be attained, conformity with the General Plan and the impact of the project upon residences and the surrounding area. *# 1*

UPTOWN REDEVELOPMENT PROJECT

SAN BERNARDINO, CALIFORNIA

PRELIMINARY PLAN

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO

12-6-83

INTRODUCTION

This Preliminary Plan report has been prepared in accordance with the provisions of Section 33324 of the Health and Safety Code of the Community Redevelopment Law of the State of California concerning the selection of a Project Area and the formulation of a Preliminary Plan.

Resolution No. 83-299, approved by the Mayor and Common Council on September 6, 1983, designated the survey area and contained the following:

- a. A finding that the area required study to determine a redevelopment project or projects within said area are feasible.
- b. A description of the boundaries within the area are designated.

The Planning Commission, in cooperation with the Redevelopment Agency, has reviewed the survey area designated by the Mayor and Common Council and has studied and analyzed the information and data made available by the Planning Department and the staff of the Redevelopment Agency. The Commission has selected the Project Area boundary as set forth in this report and has formulated the Preliminary Plan for the Project Area.

EXCERPT FROM THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW

Article 3. Selection of Project Area and Formulation of Preliminary Plans.

Sec. 33324. A Preliminary Plan need not be detailed and is sufficient if it:

- a. Describes the boundaries of the Project Area.
- b. Contains a general statement of the land uses, layout of principal streets, population densities and building intensities, and standards proposed as the basis for the redevelopment of the Project Area.
- c. Shows how the purposes of this part would be attained by such redevelopment.
- d. Shows that the proposed redevelopment conforms to the master or general community plan.
- e. Describes, generally, the impact of the project upon residents thereof and upon the surrounding neighborhood.

I. BOUNDARY

The proposed Uptown Redevelopment Project Area consists of two separate subareas identified as Subarea A and B. Each of the two subareas are described in Exhibit "A" and are shown on the map marked Exhibit "B" attached. Both subareas are currently located within the boundaries of the City of San Bernardino.

II. GENERAL STATEMENT

A. The layout of the principle streets, land uses, population densities, building densities, and standards which are proposed as the basis for the entire Project Area are provided as follows:

1. Principle Streets

The principle streets within Subarea A include Baseline Street and Highland Avenue in an east/west direction, and "E" Street in a north/south direction.

In Subarea B, the principle east/west streets are Second Street and Rialto Avenue, while Interstate 215, abutting the project on the east, is the principle north/south roadway.

2. Land Uses

Land uses which may be proposed within the Project Area include the following:

- a. Medium-Low Density Residential - Including, but not limited to, conventional single-family subdivisions, cluster housing.

- b. Medium Density Residential - Including, but not limited to, multiple-family apartments, townhouse development, condominiums, cluster housing, planned unit developments, mobile home parks, and senior citizen housing.
- c. Medium-High Density Residential - Including, but not limited to, multiple-family apartments, townhouse development, cluster housing, planned unit development, and senior citizen housing.
- d. Commercial - Project commercial areas will be developed for commercial uses, including, but not limited to, offices retail stores, professional offices, highway-oriented commercial, and other related and compatible uses.
- e. Public Uses - Including, but not limited to, fire stations, libraries, hospitals, schools, recreation centers, and other types of public facilities.
- f. Industrial Uses - Including, but not limited to, light manufacturing, wholesale and distributive uses, warehousing, service businesses, and other related and compatible uses.
- g. Open Space - Including, but not limited to, parks, flood control areas, and private areas devoted to recreational use.
- h. Mixed Land Uses - In addition to the above categories, any combination of land uses that would result in a compatible mixed land use development of, for example, retail, office and residential uses would be suitable for the Uptown Redevelopment Project.

3. Population Densities

The population density within the Project Area is generally proposed to be as follows:

- a. Medium-Low Density Residential - 4 to 7 dwelling units per net acre.
- b. Medium Density Residential - 8 to 14 dwelling units per net acre.
- c. Medium-High Density Residential - 15 to 24 units per net acre.

4. Building Intensities

It is proposed that all residential, commercial, and other land uses throughout the Project will be in accordance with building intensities and land coverages as set forth by Title 19 (Land Use Zoning Ordinance) of the San Bernardino Municipal Code and other applicable City ordinances and State law, as the same presently exists or is hereafter amended.

5. Development Standards

Minimum standards for the Project Area relative to street layout, design, and land subdivision would be in accordance with Title 18 (Subdivisions) of the San Bernardino Municipal Code and the State Subdivision Map Act. The construction of buildings and structures will meet requirements of local codes and ordinances, as well as the Uniform Building Code and all requirements of the Health and Safety Code of the State of California.

III. ATTAINMENT OF THE PURPOSES OF THE COMMUNITY REDEVELOPMENT LAW

The Project Area is in need of and suitable for redevelopment pursuant to said Community Redevelopment Law. The Project Area contains blight, as the same is defined in the Community Redevelopment Law, constituting social and economic liabilities requiring redevelopment in the interest of the health, safety, and general welfare of the people of the City of San Bernardino and the State of California. There are in the Project Area buildings and structures used or intended to be used for commercial, industrial, or other purposes, or any combination of such uses, which are unfit and unsafe to occupy for such purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime because of age, obsolescence, deterioration, dilapidation, mixed character, or shifting of uses. Parts of the Project Area are characterized by economic dislocation, deterioration, and disuse resulting from faulty planning, lots of irregular form and shape and inadequate size for proper usefulness and development, inadequate streets, open spaces and utilities.

Parts of the Project Area are characterized by depreciated values, impaired investments, and social and economic maladjustment to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered. Such conditions of blight tend to further obsolescence, deterioration, and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize, or rehabilitate his property while the condition of the neighboring properties remains unchanged. Replanning, redesign, and original development should occur in the redevelopment area and would be in the interest of the health safety, and general welfare of the City of San Bernardino. The

redevelopment of these land parcels and the provisions for appropriate continuing land use and construction policies in them constitute uses and purposes for which public money may be advanced or expended and private property acquired. With the means and primary abilities to accomplish these functions at its disposal, the City would be in an advantageous position to alter, improve, modernize, reconstruct or rehabilitate any and/or all of the Project Area in carrying out the Redevelopment Plan. Redevelopment does not exclude the continuance of existing buildings or uses whose demolition and rebuilding or change of use are not deemed essential to the redevelopment and rehabilitation of the area.

IV. CONFORMANCE WITH THE GENERAL PLAN

The proposed redevelopment of the Project Area conforms to the stated goals and objectives of the General Plan for the City of San Bernardino, State of California, as adopted by the Planning Commission by Resoluiton No. 7 on July 7, 1964, and as amended, in that:

1. The General Plan recognizes that redevelopment is one of the essential parts of the total plan for bettering the physical conditions of the decaying areas of the City and lessening those social and economic conditions which are detrimental to the growth and prosperity of the community. The plan further recognizes that redevelopment can assist the City in bringing about comprehensive improvements as contrasted to piecemeal planning efforts.
2. The General Plan stresses the importance of the rehabilitation of various City areas, the replacement of obsolete buildings, and the improvement of traffic circulation and parking facilities.

3. The General Plan of the City of San Bernardino encourages and provides for the type of development proposed by this Preliminary Plan. In addition, the Land Use element of the General Plan will be amended concurrently with the Redevelopment Plan in order to ensure conformance between these two documents.

V. IMPACT UPON RESIDENTS OF THE PROJECT AREA AND UPON THE SURROUNDING NEIGHBORHOOD

It is anticipated that project activities in the Project Area will have a positive impact on surrounding neighborhoods. Efforts will be made to mitigate the impact of any displacement on both the residential and business community.

Specifically, it is estimated that less than 2% of the residents within the proposed Project Area could potentially be displaced. The City will make every effort to find alternative housing for the few displaced residents while paying all relocation costs.

Another positive impact associated with this project would be that monies realized from tax increment financing would be used to stimulate and provide new private investment opportunities by revitalizing those areas of specific structures which are characterized by deterioration, blight, or obsolescence, and to encourage continued investment, thereby improving employment opportunities, economic stability, and productivity.

Finally, the project activities will have an overall positive impact by removing or rehabilitating structures which are unfit for human occupancy which, in turn, would help reduce associated health and social problems. It should be emphasized, however, that the thrust of the Project is commercial revitalization and rehabilitation which would also positively impact the Project Area and the surrounding neighborhood.

UPTOWN REDEVELOPMENT PROJECT

EXHIBIT A

LEGAL DESCRIPTION UPTOWN REDEVELOPMENT PROJECT AREA SUBAREA "A"

Those portions of Blocks 1, 2, 3, 32, 33, 34, 35, 36, 37, 38, 39, 84, 85 and Blocks 73, 74, 75, 76 of the 80 acre survey, all of the Rancho San Bernardino as per plat thereof recorded in Book 7 of Maps, page 2, records of the County Recorder of San Bernardino County, State of California; those portions of Blocks 59, 60, 61, 62, 63, 67, 68 and 69 of the City of San Bernardino as per plat thereof recorded in Book 7 of Maps, page 1, records of said County and those portions of all those various subdivisions lying within said Rancho Blocks and City Blocks together with those portions of the adjoining streets, described as follows:

Beginning at the intersection of the centerlines of Highland Avenue and "E" Street; thence North along said centerline of "E" Street, a distance of 206.25 feet to the Westerly prolongation of the North line of that certain East/West alley in Block "B", Polytechnic Square, as per plat thereof recorded in Book 20 of Maps, page 5, records of said County; thence East along said prolongation and said North line and continuing East along the North line of said alley in Block "A" of said Polytechnic Square to the Southeast corner of Lot 7 of said Block "A"; thence North along the East line of said Lot 7 and its Northerly prolongation, to the centerline of 23rd Street; thence East along said centerline of 23rd Street to the centerline of Arrowhead Avenue; thence South along said centerline of Arrowhead Avenue, a distance of 27.73 feet, more or less, to the centerline of 23rd Street as said street is delineated on the map of Highland Heights Tract Re-Subdivision, as per plat thereof recorded in Book 19 of Maps, page 98, records of said County; thence East along said centerline of 23rd Street to its intersection with the Northerly prolongation of the West line of Lot 14, Block "A" of said Highland Heights Tract; thence South along said prolongation and West line to the Southwest corner of said Lot 14; thence East along the South line of Lots 14 and 13 of said Block "A" and the Easterly prolongation thereof to the Northwest corner of Lot 3, Tract No. 1946 as per plat thereof recorded in Book 28 of Maps, page 32, records of said County; thence North along the West lines of Lots 14, 13, 12, 11, 10, 9, 8 and 7 of said Tract No. 1946, to the Northwest corner of said Lot 7; thence East along the North line of said Lot 7 and its Easterly prolongation to the centerline of Sierra Way; thence North along said centerline to its intersection with the South line of the North 629 feet of Lot 2 of said Block 85, Rancho San Bernardino; thence East along said South line a distance of 226.10 feet, more or less, to the Northeast corner of that certain easement for street and highway purposes as granted to the City of San Bernardino by document No. 326, recorded October 17, 1957 in Book 4348, page 531, Official Records of said County; thence South along the East line of said easement and along the East line of those easements as granted to the City of San Bernardino by document No. 359, recorded March 24, 1954 in Book 3351, page 459 and document No. 327, recorded May 25, 1956 in Book 3948, page 40, both of official records of said County, to the South line of the North 1229 feet of said Lot 2, Block 85, Rancho San Bernardino; thence East along said

South line, to the centerline of Lugo Avenue; thence South along said centerline of Lugo Avenue, to the North line of the South 250 feet of said Lot 2, Block 85; thence East along said North line, to the West line of the East 220 feet of said Lot 2, Block 85; thence North along said West line, a distance of 50 feet to the North line of the South 300 feet of said Lot 2, Block 85; thence East along said North line a distance of 220 feet to the East line of said Lot 2, said point being the centerline of Sepulveda Avenue; thence South along said centerline, to its intersection with the Westerly prolongation of the South line of the North 50 feet of Lot 39, Arrowhead Heights Tract, as per plat thereof recorded in Book 19 of Maps, page 5, records of said County; thence East along said prolongation and South line, to the West line of Lot 22 of said Arrowhead Heights Tract; thence North along said West line, to the Northwest corner of said Lot 22; thence East along the North line of said Lot 22 and its Easterly prolongation, to the centerline of LeRoy Street; thence North along said centerline, to the centerline of improvement of 23rd Street, 50 feet wide; thence East along said centerline of improvement, to the centerline of Waterman Avenue; thence South along said centerline of Waterman Avenue to the centerline of said Highland Avenue; thence continuing South along said centerline of Waterman Avenue, to its intersection with the Easterly prolongation of the South line of the North 200 feet of Lot 1 of said Block 39, Rancho San Bernardino; thence West along said prolongation and South line, a distance of 595.15 feet, more or less, to the Northerly prolongation of the West line of Lot 14, Propst Subdivision as per plat thereof recorded in Book 24 of Maps, page 69, records of said County; thence South along said prolongation and West line, to the Southwest corner of said Lot 14; thence West along the Westerly prolongation of the South line of said Lot 14, to the centerline of Wall Avenue; thence North along said centerline, to South line of the North 200 feet of said Lot 1, Block 39, Rancho San Bernardino; thence West along said South line, to the East line of Lot 8 of said Block 39; thence South along said East line, to the South line of the North 400 feet of said Lot 8; thence West along said South line, to the East line of Block "G", Highland Avenue Tract No. 2, as per plat thereof recorded in Book 24 of Maps, page 63, records of said County; thence North along said East line, to the Northeast corner of Lot 4 of said Block "G"; thence West along the North line of said Lot 4 and its Westerly prolongation, to the centerline of Sepulveda Avenue; thence South along said centerline, to its intersection with the Easterly prolongation of the South line of Lot 20, Block "F" of said Highland Avenue Tract No. 2; thence West along said prolongation and South line and along the South line of Lot 10 of said Block "F" and its Westerly prolongation, to the centerline of Lugo Avenue; thence North along said centerline, to its intersection with the Easterly prolongation of the South line of Lot 5, Block "E" of said Highland Avenue Tract No. 2; thence West along said prolongation and South line, to the East line of Lot 5, Jonathan Park, as per plat thereof recorded in Book 23 of Maps, page 39, records of said County; thence South along said East line, to the Southeast corner of Lot 7 of said Jonathan Park; thence West along the South line of said Lot 7, to the East line of Sierra Way; thence South along said East line, to its intersection with the Easterly prolongation of the South line of Lot 4, Block "A", Frank C. Platt Highland Avenue Tract, as per plat thereof recorded in Book 23 of Maps, page 8, records of said County; thence West along said prolongation and South line, to the Southwest corner of said Lot 4; thence North along the West line thereof and of Lot 3 of said Block "A", to the Southeast corner of Lot 13 of said Block "A"; thence West along the South line of said Lot 13 and the Westerly prolongation thereof, to the centerline of Genevieve Street; thence North along said centerline, to its intersection with the Easterly prolongation of the South line of Lot 23, Block "B" of said Platt Highland Avenue Tract; thence West along said prolongation and South line and along the South line of Lots 22 and 21 of said Block "B", to the Northeast corner of Lot 18 of said Block "B"; thence South along the East line of said Lot 18 and of Lot 17 of said Block "B", to the Southeast corner of said Lot 17; thence West along the South line of said Lot 17 and its Westerly prolongation, to the centerline of Mt. View Avenue; thence North along said centerline, to its intersection with the Easterly prolongation of the South line of Lot 45,

Deodar Place, a 1/2 acre plat thereof recorded in Book 21 Maps, page 28, records of said County; thence West along said prolongation and South line, to the Southwest corner of said Lot 45; thence North along the West line thereof, to the Northwest corner thereof; thence West along the South line of Lot 27 of said Deodar Place, the Westerly prolongation thereof and along the South line of Lot 22 of said Deodar Place, to the Northeast corner of Lot 4 of said Deodar Place; thence South along the East lines of Lots 4, 5 and 6 of said Deodar Place, to the Southeast corner of said Lot 6; thence West along the South line thereof and its Westerly prolongation, to the centerline of Arrowhead Avenue; thence South along said centerline to the centerline of 20th Street as said Street is adjacent to Block "A" of the Frazer Subdivision as per plat thereof recorded in Book 16 of Maps, page 74, records of said County; thence West along said centerline, to the centerline of "D" Street; thence South along said centerline, to a point in a line which is parallel with and 150 feet South of and measured at right angles to the South line of 20th Street as said Street adjoins Adair & Meyers Subdivision as per plat thereof recorded in Book 18 of Maps, page 61, records of said County; thence West along said parallel line, a distance of 157.91 feet; thence North and parallel with said centerline of "D" Street, to the centerline of said last mentioned 20th Street; thence East along said centerline, to its intersection with the Southerly prolongation of the West line of Lot 47 of said Adair & Meyers Subdivision; thence North along said prolongation, the West line of said Lot 47 and its Northerly prolongation, to the Northeast corner of Lot 22 of said Adair & Meyers Subdivision; thence West along the North lines of Lots 22, 21, 20, 19, 18, 17, 16 and 15 of said Subdivision, to the Northwest corner of said Lot 15; thence South along the West line of said Lot 15 and the Southerly prolongation thereof, to the Southwest corner of Lot 34 of said Adair & Meyers Subdivision; thence East along the South line of said Lot 34, to its intersection with the Northerly prolongation of the West line of the East 18.75 feet of Lot 39 of said Subdivision; thence South along said prolongation and West line and the Southerly prolongation thereof, to the centerline of said 20th Street; thence East along said centerline, to its intersection with the East line of the West 235.33 feet of Lot 7 of said Block 38, Rancho San Bernardino; thence South along said East line, to the South line of said 20th Street; thence continuing South along said East line, a distance of 150 feet; thence East to a point which is 298.92 feet East of the West line of said Lot 7, Block 38; thence South, a distance of 75 feet; thence West, a distance of 98.92 feet to a point which is 200 feet East of the West line of said Lot 7; thence South and parallel with said West line of Lot 7 and its Southerly prolongation, to the North line of Lot 9, Block "D", The Palms, as per plat thereof recorded in Book 14 of Maps, page 41, records of said County; thence West along said North line and the North line of Lot 10 of said Block "D", to the Northwest corner of said Lot 10; thence South along the West line thereof and the Southerly prolongation thereof, to the Southwest corner of Lot 10, Block "E" of said Palms Sub.; thence East along the South line of said Lot 10, to Southeast corner thereof; thence South along the Northerly prolongation of the East line of Lot 15 of said Block "E", said East line and the Southerly prolongation thereof, to the centerline of 16th Street; thence East along said centerline, to the centerline of Stoddard Avenue; thence South along said centerline of Stoddard Avenue, to the centerline of 15th Street, 20 feet wide; thence West along said centerline, to its intersection with the Northerly prolongation of the East line of Lot 1D, Revised Map of Magnolia Park Subdivision as per plat thereof recorded in Book 17 of Maps, page 81, records of said County; thence South along said Northerly prolongation, the East line of said Lot 10 and its Southerly prolongation, to the Southwest corner of Lot 40 of said Magnolia Park Subdivision; thence East along the South line thereof and the South lines of Lots 41 and 42 of said Magnolia Park Subdivision, to the Southeast corner of said Lot 42; thence South and parallel with the East line of "E" Street, to the North line of the Ramona Tract as per plat thereof recorded in Book 20 of Maps, page 8, records of said County; thence West along said North line, to the Northwest corner of Lot 4 of said Ramona Tract; thence South along a West line of said Ramona Tract, to an angle point therein; thence West to the West line

of Lot 6 of the Ramona Tract; thence South along said West line and the Southerly prolongation thereof, to the North line of 13th Street; thence East along said North line, to its intersection with the Northerly prolongation of the West line of Lot 15, Block 2, Fussels Subdivision, as per plat thereof recorded in Book 6 of Maps, page 39, records of said County; thence South along said Northerly prolongation, said west line of Lot 15 and the Southerly prolongation thereof, to the South line of Lot 23 of said Fussels Subdivision; thence East along said South line and the Easterly prolongation thereof, to the East line of Lot 6, Block 1 of said Fussels Subdivision; thence North along said East line and the Northerly prolongation thereof, to the centerline of said 13th Street; thence East along the centerline of said 13th Street and following all its various courses and distances, to the centerline of Mountain View Avenue; thence South along said centerline, to its intersection with the Westerly prolongation of the North line of Lot 5, Platt-Burton Subdivision as per plat thereof recorded in Book 18 of Maps, page 53, records of said County; thence East along said prolongation, the North line of said Lot 5 and the Easterly prolongation thereof, to the centerline of Genevieve Street; thence North along said centerline to its intersection with the Westerly prolongation of the North line of Lot 5, Long's Subdivision as per plat thereof recorded in Book 21 of Maps, page 27, records of said County; thence East along said prolongation and North line, to the Northeast corner of said Lot 5; thence South along the East line thereof, to the North line of the South 212.75 feet of Lot 7, Block 33 of said Rancho San Bernardino; thence East along said North line, to the centerline of Sierra Way; thence North along said centerline, to its intersection with the Westerly prolongation of the North line of Lot 11, Block 4, Baseline Addition (Amend) as per plat thereof recorded in Book 4 of Maps, page 35, records of said County; thence East along said prolongation and North line, to the Northeast corner of said Lot 11; thence South along the East line of said Lot 11 and its Southerly prolongation, to the Northwest corner of Lot 20 of said Block 4; thence East along the North line of said Lot 20 and its Easterly prolongation, to the Northeast corner of Lot 19, Block 5 of said Baseline Addition; thence South along the East line thereof, to North line of the South 49 feet of Lot 20 of said Block 5; thence East along said North line and its Easterly prolongation, to the centerline of Sepulveda Avenue; thence North along said centerline, to its intersection with the Westerly prolongation of the North line of Lot 10, Block 6 of said Baseline Addition; thence East along said prolongation, the North line of said Lot 10 and its Easterly prolongation, to the East line of Lot 1, Block C, Dunn & Black Subdivision, as per plat thereof recorded in Book 15 of Maps, page 67, records of said County; thence North along said East line, to the Northwest corner thereof; thence East along the North line of said Lot 1 and its Easterly prolongation, to the centerline of Wall Avenue; thence South along said centerline, to the Westerly prolongation of the South line of Lot 20, Block "B", of said Dunn & Black Subdivision; thence East along said prolongation, the South line of said Lot 20 and its Easterly prolongation, to the centerline of Belle Street; thence North along said centerline, to its intersection with the Westerly prolongation of the North line of Lot 18, Block "A" of said Dunn & Black Subdivision; thence East along said prolongation and North line, to the Southeast corner of Lot 17 of said Block "A"; thence North along the East line of said Lot 17 and its Northerly prolongation, to the centerline of 13th Street; thence East along said centerline, to the centerline of Waterman Avenue; thence South along said centerline of Waterman Avenue, to the centerline of Orange Street; thence West along said centerline, to its intersection with the Southerly prolongation of the West line of the East 60 feet of Lot 28, Dalmwood Subdivision, as per plat thereof recorded in Book 23 of Maps, page 72, records of said County; thence North along said prolongation and said West line, to the South line of Lot 14 of said Dalmwood Subdivision; thence West along said South line and its Westerly prolongation, to the centerline of Wall Avenue; thence South along said centerline, to its intersection with the Easterly prolongation of the North line of Lot 2, Block "B", Wilsey's Baseline Addition, as per plat thereof recorded in Book 5 of Maps, page 27, records of said County; thence West along said prolongation, the North

line of said Lot 2; thence Westerly prolongation, to the East line of Sepulveda Avenue; thence Westerly in a straight line to the Northeast corner of Lot 6, Block "B", Fairbanks Addition as per plat thereof recorded in Book 4 of Maps, page 17, records of said County; thence West along the North line of said Lot 6 and its Westerly prolongation, to the centerline of Lugo Avenue; thence South along said centerline, to the South line of the North 185 feet of Lot 1, Block 1 of said Rancho San Bernardino; thence West and parallel with the South line of Baseline Street, to the centerline of Sierra Way; thence South along said centerline, to the centerline of Orange Street; thence West along said centerline to its intersection with the Southerly prolongation of the West line of Lot 20, Block 1, Hart & Marshall Subdivision, as per plat thereof recorded in Book 7 of Maps, page 48, records of said County; thence North along said prolongation, the West line of said Lot 20 and its Northerly prolongation, to the Southeast corner of Lot 3 of said Block 1; thence West along the South line of said Lot 3 and its Westerly prolongation, to the East line of Mt. View Avenue; thence Westerly in a straight line to the Southeast corner of Lot 11, Neff, Namand Neff Subdivision, as per plat thereof recorded in Book 16 of Maps, page 25, records of said County; thence West along the South line of said Lot 11 and its Westerly prolongation, to the Northeast corner of Lot 20 of said Neff, Nam and Neff Subdivision; thence South along the East line of said Lot 20, to the North line of the South 2.62 feet thereof; thence West along said North line and its Westerly prolongation, to the centerline of Arrowhead Avenue; thence North along said centerline, to a point which is 153.26 feet South of the South line of Baseline Street; thence West and parallel with said South line, a distance of 216.25 feet; thence South, a distance of 6.74 feet; thence West and parallel to said South line of Baseline Street, to the centerline of Mayfield Avenue; thence North along said centerline, to a point which is 137.5 feet South of the South line of said Baseline Street; thence West and parallel with said South line, a distance of 164.11 feet; thence South, a distance of 5.64 feet; thence West and parallel with said South line of Baseline Street, to the centerline of "D" Street; thence South along said centerline, to its intersection with the Easterly prolongation of the South line of 11th Street, 25 feet wide; thence West along said prolongation and South line and the Westerly prolongation thereof, to the centerline of Stoddard Avenue, 50 feet wide; thence South along said centerline, to the centerline of 10th Street; thence East along said centerline, to its intersection with the Northerly prolongation of the East line of Lot 14, Anderson, Drew and Burt Subdivision as per plat thereof recorded in Book 3 of Maps, page 80, records of said County; thence South along said prolongation, the East line of said Lot 14 and the Southerly prolongation thereof, to the North line of Lot 25 of said Anderson, Drew and Burt Subdivision; thence East along said North line, to the Northeast corner of said Lot 25; thence South along the East line thereof and its Southerly prolongation, to the centerline of 9th Street; thence East along said centerline, to its intersection with the Northerly prolongation of the West line of the East 12 feet of Lot 6, Block 63 of said City of San Bernardino; thence South along said prolongation and West line, to the South line of said Lot 6; thence West along said South line and the Westerly prolongation thereof, to the centerline of Arrowhead Avenue; thence North along said centerline, to its intersection with the Easterly prolongation of the South line of the North 100 feet of Lot 6, Block 62 of said City of San Bernardino; thence West along said prolongation and South line, a distance of 191.25 feet; thence South, to the South line of said Lot 6; thence West along said South line and the South line of Lot 5 of said Block 62, to a point which is 150 feet East of the West line of said Lot 5; thence South and parallel with the West line of said Block 62, to the North line of 8th Street; thence West along said North line, to the Southerly prolongation of the West line of the East 85 feet of Lot 3, Block 59 of said City of San Bernardino; thence North along said prolongation and West line to a point which is 60 feet South of the North line of said Lot 3; thence West, to the West line of said Lot 3; thence North along said West line and the West line of Lot 6 of said Block 59, to a point which is 120 feet South of the North line of said Lot 6; thence West, to the centerline of "G" Street; thence North along said centerline, to the centerline of 9th Street; thence East along said centerline of 9th

Street, to its intersection with the centerline of Acacia Avenue, 27.7 feet wide; thence North along said centerline, to the South line of Lot 6, Block 69 of said City of San Bernardino; thence East along said South line, to the Southeast corner of said Lot 6; thence North along the East line thereof and its northerly prolongation, to the centerline of 10th Street; thence West along said centerline, to the centerline of Acacia Street; thence North along said centerline of Acacia Street, to the South line of the North 297 feet of Lot 4, Block 74 of said Rancho San Bernardino; thence West along said South line a distance of 105 feet; thence South, a distance of 25 feet; thence West, a distance of 22.65 feet; thence South, a distance of 125 feet; thence West, to a point which is 100 feet East of the East line of "F" Street; thence South, a distance of 80 feet; thence West, to the centerline of said "F" Street; thence North along said centerline, to the Easterly prolongation of the North line of Tract No. 1784, as per plat thereof recorded in Book 26 of Maps, page 35, records of said County; thence West along said prolongation and North line, to a point which is 300 feet West of the West line of "F" Street; thence North, a distance of 95 feet; thence West, a distance of 341.25 feet, to the centerline of "G" Street; thence North along said centerline, to its intersection with the Easterly prolongation of the South line of Lot 8, Miller and McKenney Subdivision, as per plat thereof recorded in Book 16 of Maps, page 100, records of said County; thence West along said prolongation, said South line and the westerly prolongation thereof, to the East line of Lot 28 of said Miller and McKenney Subdivision; thence North along said East line, to the Northeast corner of said Lot 28; thence West along the North line thereof and the westerly prolongation thereof, to the centerline of "H" Street; thence South along said centerline, to the centerline of Orange Street; thence West along said centerline, to the East line of Interstate Highway 215; thence North along said East line, to the South line of 16th Street (Realigned); thence Northeasterly along said South line and its Easterly prolongation, to the intersection of the centerlines of 16th Street, 60 feet wide and "H" Street, thence South along said centerline of "H" Street, to the centerline of 13th Street; thence East along said centerline of 13th Street, to the centerline of "G" Street, thence South along said centerline to its intersection with the westerly prolongation of the North line of Lot 51, Allen Bros. Subdivision, as per plat thereof recorded in Book 21 of Maps, page 45, records of said County; thence East along said prolongation and North line and its Easterly prolongation, to the centerline of "F" Street; thence North along said centerline, to its intersection with the westerly prolongation of the North line of Lot 24, Block 2, Acacia Addition, as per plat thereof recorded in Book 17 of Maps, page 12, records of said County; thence East along said prolongation and North line, to the Northeast corner of said Lot 24; thence North along the East lines of Lots 23, 22, 21, 20, 19 and 18 of said Block 2, to the intersection with the westerly prolongation of the North line of Lot 9 of said Block 2; thence East along said prolongation and said North line and its Easterly prolongation, to the centerline of Acacia Avenue, thence North along said centerline, to the centerline of 13th Street; thence East along said centerline of 13th Street, to its intersection with the southerly prolongation of the East line of Lot 12, Sunset Heights Subdivision, as per plat thereof recorded in Book 17 of Maps, page 32, records of said County; thence North along said prolongation, said East line and the northerly prolongation thereof, to the Northeast corner of Lot 9 of said Sunset Heights Subdivision; thence Northwesterly in a straight line, to a point in the North line of that certain East/West alley as delineated on the Map of said Sunset Heights Subdivision, said point being West thereon, a distance of 150 feet from the West line of "E" Street; thence North and parallel with said West line, a distance of 159 feet; thence West at right angles, a distance of 150 feet; thence North at right angles, a distance of 75 feet to the South line of Mastins Court Subdivision, as per plat thereof recorded in Book 21 of Maps, page 29, records of said County; thence East along said South line, to the Southeast corner of Lot 16 of said Subdivision; thence North along the

East line of said Lot 16 and its Northerly prolongation, to the North line of said Mastins Court Subdivision; thence West along said North line, to the Southwest corner of Lot 5, Block "A", Gatch's Subdivision, as per plat thereof recorded in Book 3 of Maps, page 66, records of said County; thence North along the West line of said Lot 5 and its Northerly prolongation, to the centerline of 14th Street; thence East along said centerline, to its intersection with the Southerly prolongation of the East line of Lot 22, Block "B" of said Gatch's Subdivision; thence North along said prolongation, said East line and the Northerly prolongation thereof, to the centerline of Evans Street; thence East along said centerline to the centerline of that certain vacated North/South alley in Block "D" of said Gatch's Subdivision as said alley was vacated by Resolution No. 1293 of the City of San Bernardino; thence North along said centerline, to the centerline of 16th Street; thence West along said centerline of 16th Street, to its intersection with the Southerly prolongation of the East line of Lot 9, Gall B. Fish Tract, as per plat thereof recorded in Book 19 of Maps, page 29, records of said County; thence North along said prolongation and East line, to a point which is 60 feet South of the North line of said Lot 9; thence West, to the West line of said Lot 9; thence North along the West line thereof and the Northerly prolongation thereof, to the North line of 17th Street; thence Northerly in a straight line, to a point in the South line of Campus Way, as vacated by Resolution No. 9216 of the City of San Bernardino, which point is West thereon, a distance of 205.71 feet from the West line of "E" Street; thence East along said South line, to a point which is 90 feet West of said West line of "E" Street; thence North, a distance of 20 feet; thence East, a distance of 131.25 feet, to the centerline of said "E" Street; thence North along said centerline, to the centerline of 19th Street; thence West along said centerline of 19th Street, to its intersection with the Southerly prolongation of the West line of Lot 6, Block "A", Sibley and Allison Subdivision, as per plat thereof recorded in Book 8 of Maps, page 24, records of said County; thence North along said prolongation, the West line of said Lot 6 and the Northerly prolongation thereof, to the South line of Lot 30, of unrecorded Grand View Subdivision of Lot 1, Block 37 of said Rancho San Bernardino; thence East along said South line and its Easterly prolongation, to the Southeast corner of Lot 27 of said Grand View Subdivision; thence North along the East line of said Lot 27 and its Northerly prolongation, to the centerline of 21st Street; thence West along said centerline, to its intersection with the Southerly prolongation of the East line of Lot 21 of said Grand View Subdivision; thence North along said prolongation and East line, to the Northeast corner of said Lot 21; thence West along the North line thereof and its Westerly prolongation, to the centerline of "G" Street; thence North along said centerline, to its intersection with the Easterly prolongation of the North line of Lot 46, Tract No. 1714, as per plat thereof recorded in Book 25 of Maps, page 26, records of said County; thence West along said prolongation, said North line of Lot 46 and its Westerly prolongation, to the Northeast corner of Lot 30 of said Tract No. 1714; thence South along the East line thereof, to the North line of 21st Street; thence West along said North line and following all its various courses and distances, to the East line of Interstate Highway 215; thence North along said East line, to the South line of Lot 87, Tract No. 3587, as per plat thereof recorded in Book 47 of Maps, page 91, records of said County; thence East along said South line and its Easterly prolongation, to the centerline of "H" Street; thence South along said centerline, to its intersection with the Westerly prolongation of the North line of Lot 11, Block 1, Tract No. 1704, as per plat thereof recorded in Book 25 of Maps, page 44, records of said County; thence East along said prolongation, the North line of said Lot 11 and its Easterly prolongation, to the Southwest corner of Lot 3, Block 1 of said Tract No. 1704; thence North along the West line thereof and its Northerly prolongation, to the centerline of 23rd Street; thence East along said centerline, to the centerline of "G" Street, thence South along said centerline of "G" Street, to the centerline of Highland Avenue; thence East along said centerline of Highland Avenue, to the Point of Beginning.

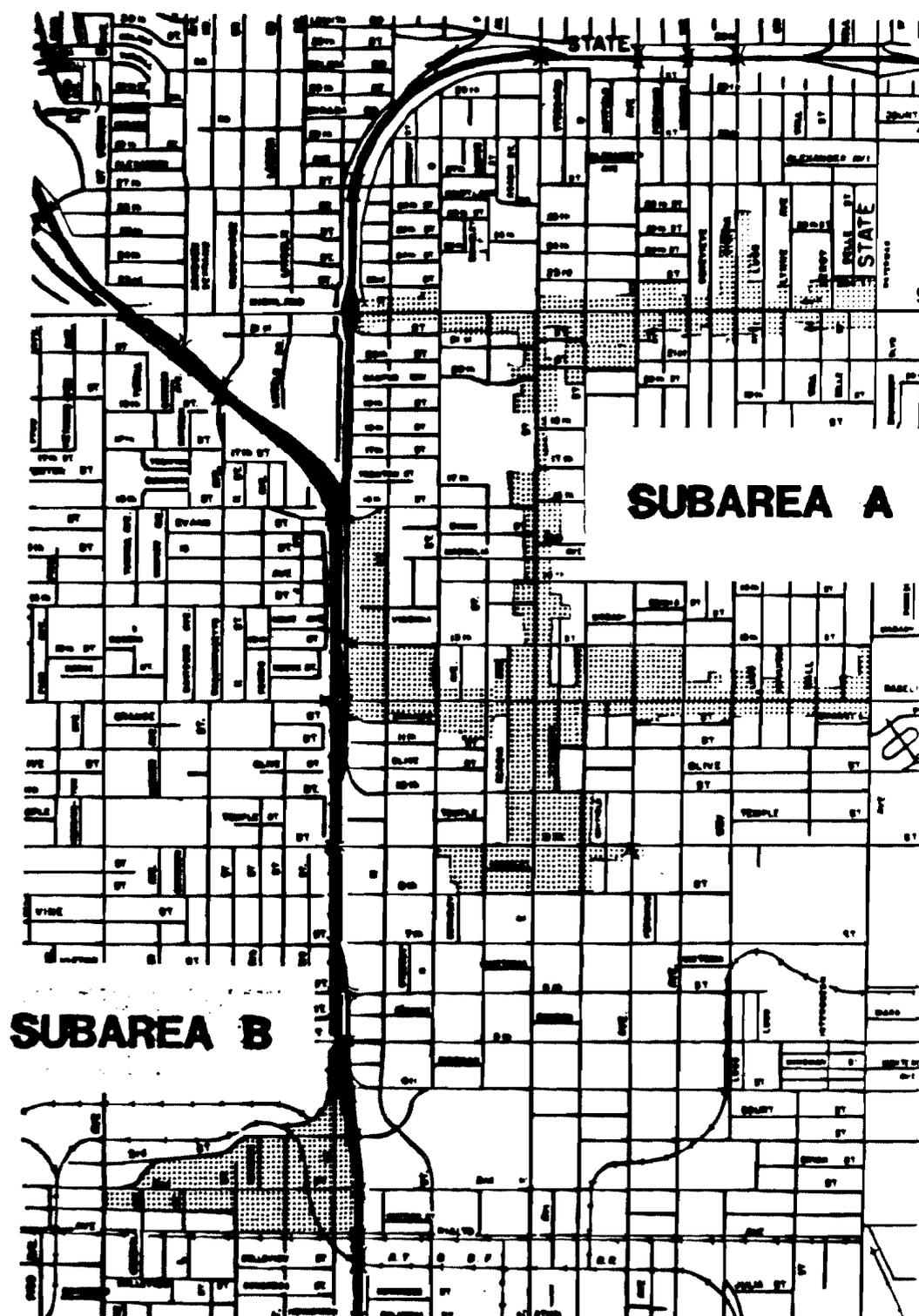
LEGAL DESCRIPTION
UPTOWN REDEVELOPMENT PROJECT AREA
SUBAREA "B"

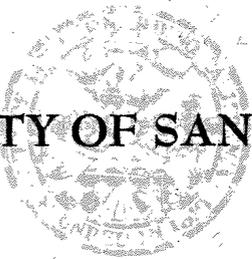
Those portions of Blocks 15 and 16, Rancho San Bernardino as per plat thereof recorded in Book 7 of Maps, Page 2; Records of the County Recorder of San Bernardino County, State of California, those portions of Carters Subdivision as per plat thereof recorded in Book 3 of Maps, Page 79; records of said County those portions of Wrights Subdivision as per plat thereof recorded in Book 18 of Maps, page 36; records of said County those portions of Insurance Loan and Land Subdivision as per plat thereof recorded in Book 16 of Maps, Page 37; records of said County those portions of the Wallace Subdivision as per plat thereof recorded in Book 3 of Maps, page 38; records of said County those portions of the Waters Subdivision as per plat thereof recorded in Book 6 of Maps, Page 47 records of said County and those portions of Block 24, City of San Bernardino, as per plat thereof recorded in Book 7 of Maps, Page 1 records of said County and those portions of Goodlets Subdivision as per plat recorded in Book 8 of Maps Page 5, records of said County and the adjoining streets, described as a whole as follows:

Beginning at the intersection of the centerline of Rialto Avenue and the West right-of-way line of Interstate Highway 215; thence West along said Centerline of Rialto Avenue a distance of 1680 feet more or less, to its intersection with the centerline of "K" Street as it intersects said Rialto Avenue from the North; thence North along said centerline of "K" Street to its intersections with the centerline of King Street; thence West along said centerline of King Street; thence West along said centerline of King Street to its intersection with the centerline of Mt. Vernon Avenue; thence North along said centerline of Mt. Vernon Avenue to its intersection with the centerline of 2nd Street as same intersects said Mt. Vernon Avenue from the East; thence East along said centerline of 2nd Street to its intersection with the centerline of Viaduct Boulevard as conveyed to the City of San Bernardino by document recorded June 29, 1933 in Book 720, page 306, Official Records of said County; thence Northeasterly along said centerline of Viaduct Boulevard to the centerline of 3rd Street as it now exists; thence Easterly, Northeasterly and Easterly along said centerline of existing 3rd Street to the Southerly prolongation of the West line of Lot 1 of said Block 16 of the City of San Bernardino; thence North along said Southerly prolongation and West line to the Southeasterly right-of-way line of the Southern California Railway Company (now Atchison, Topeka and Santa Fe Railway Company); thence Northeasterly along said Southeasterly line of said right-of-way to its intersection with the West line of "I" Street; thence Northeasterly in a straight line to the intersection of the East line of said "I" Street with the Westerly right-of-way line of said Interstate Highway 215; thence Easterly and Southerly along said Westerly right-of-way line to the Point of Beginning.

UPTOWN REDEVELOPMENT PROJECT

EXHIBIT B





CITY OF SAN BERNARDINO

300 NORTH "D" STREET, SAN BERNARDINO, CALIFORNIA 92418

RALPH H. PRINCE
CITY ATTORNEY

April 18, 1984

Attorney Diane M. Fishburn
Fair Political Practices Commission
P.O. Box 807
Sacramento, Ca., 95804

Dear Miss Fishburn:

I attach herewith the information provided by Ronald K. Running, Senior Planner, to Glenda Saul, the Executive Director of the Redevelopment Agency, dated April 6, 1984. Mr. Running has provided statistics in response to your request for figures relating to the relative percentages between the Uptown Redevelopment Project and the entire City of San Bernardino.

Although Mr. Running included in his summary sheet no estimate as to the total number of industrial enterprises nor as to the total number of developed or undeveloped lots, he and I did discuss this information and he advises me that there are, in the entire city at least one thousand and possibly as many as two thousand industrial enterprises city wide.

He estimates that there would be between fifty thousand to fifty-five thousand developed lots city wide and five thousand to ten thousand undeveloped lots city wide.

These necessarily are estimates since no accurate count is compiled anywhere. This information is not kept, even by the Planning Department. Mr. Running did state that they are reasonable estimates, however.

APR 20 8 10 AM '84

Attorney Diane M. Fishburn
April 18, 1984
Page 2

I hope that with this additional information you will be able to proceed with your opinion in response to our earlier request.

Your interest and concern are greatly appreciated.

Very truly yours,



ALLEN R. BRIGGS
Assistant City Attorney

ARB:js

Encls.

cc: Councilman Quiel

Glenda Saul

CITY OF SAN BERNARDINO — MEMORANDUM

To Glenda Saul
Executive Director, Redevelopment Agency

From Ronald K. Running
Senior Planner

Subject Fair Political Practices Commission

Date April 6, 1984

Approved

Date

The following statistics are in response to the request of Diane Maura Fisburn of the California Fair Political Practices Commission regarding the Uptown Redevelopment Project:

	<u>Project Area</u>	<u>City-Wide</u>
1. Total number of business enterprises.	591	5,000
2. Total number of industrial enterprises.	30	?
3. Total number of residences.	633	46,458
4. Total number of developed lots.	1,060	?
5. Total number of undeveloped lots.	138	?

Attached you will find some general socio-economic data for the project and the City as a whole that might provide useful information.


RONALD RUNNING
Senior Planner

mf

4/3/84

TABLE 1
 UPTOWN REDEVELOPMENT PROJECT
 EXISTING GENERAL PLAN

GENERAL PLAN DESIGNATION	SUBAREA "A"		SUBAREA "B"		TOTAL PROJECT	
	Acres	%	Acres	%	Acres	%
Residential:						
Medium Low Density (4-7)	-	-	-	-	-	-
Medium Density (8-14)	-	-	-	-	-	-
Medium High Density (15-36)	12.17	3.5	3.36	4.0	15.53	3.6
High Density (to 73)	3.82	1.1	-	-	3.82	0.9
General Commerical	206.02	59.1	17.27	20.5	223.29	51.6
Administrative Professional	7.74	2.2	-	-	7.74	1.8
Light Industrial	12.79	3.7	-	-	12.79	2.9
General Industrial	-	-	37.79	44.7	37.79	8.7
Public/Quasi Public:						
Fire Stations	0.55	0.1	-	-	0.55	0.1
Hospitals	-	-	-	-	-	-
Libraries	-	-	-	-	-	-
Cemetery	-	-	-	-	-	-
Schools: Elementary	9.48	2.7	-	-	9.48	2.2
Jr. High	-	-	-	-	-	-
Sr. High	-	-	-	-	-	-
SUBTOTAL	252.57	72.4	58.42	69.2	310.99	71.8
STREETS	96.07	27.6	26.05	30.8	122.12	28.2
TOTAL	348.64	100.0	84.47	100.0	433.11	100.0

4/3/84

TABLE 2
 UPTOWN REDEVELOPMENT PROJECT
 EXISTING ZONING

ZONING CATEGORY:	SUBAREA "A"		SUBAREA "B"		TOTAL	PROJECT
	Acres	%	Acres	%	Acres	%
R-1-7200	2.20	0.6	-	-	2.20	0.5
R-2	1.03	0.3	-	-	1.03	0.2
R-3-1200	8.74	2.5	-	-	8.74	2.0
R-4	3.69	1.0	-	-	3.69	0.8
C-2	-	-	1.98	2.4	1.98	0.5
C-3	120.39	34.5	-	-	120.39	27.8
C-3A	37.95	10.9	12.53	14.8	50.48	11.7
C-4	41.72	12.0	-	-	41.72	9.6
A-P	10.06	2.9	-	-	10.06	2.3
T	17.74	5.1	4.18	5.0	21.92	5.1
C-M	-	-	37.77	44.7	37.77	8.7
M-1	4.20	1.2	-	-	4.20	1.0
M-1A	4.73	1.3	-	-	4.73	1.0
M-2	-	-	1.96	2.3	1.96	0.5
O	0.12	0.1	-	-	0.12	0.1
SUBTOTAL	252.57	72.4	58.42	69.2	310.99	71.8
STREETS	96.07	27.6	26.05	30.8	122.12	28.2
TOTAL	348.64	100.0	84.47	100.0	433.11	100.0

TABLE 3

4/3/84

UPTOWN REDEVELOPMENT PROJECT

EXISTING LAND USE

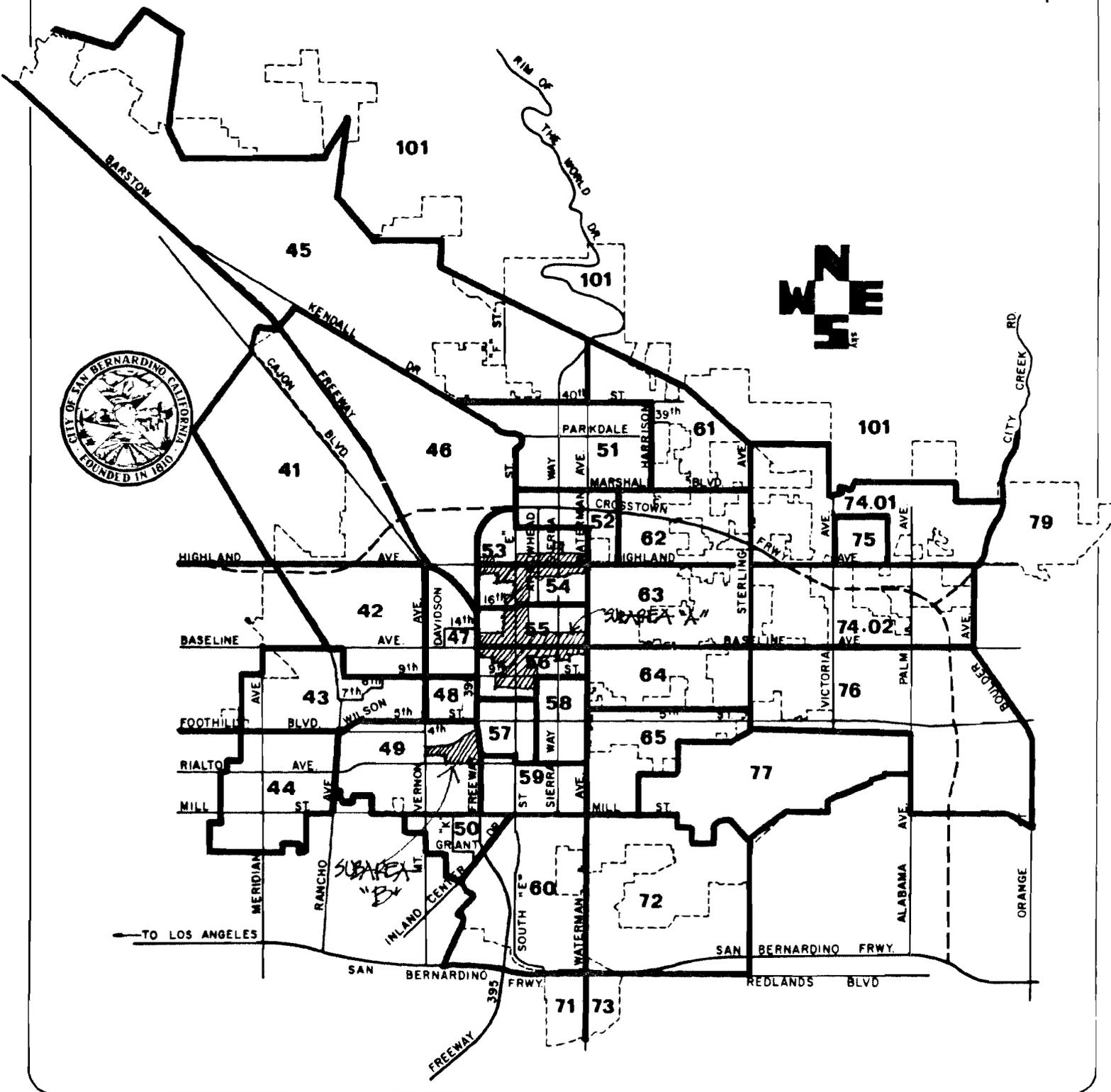
LAND USE CATEGORY:	SUBAREA "A"		SUBAREA "B"		TOTAL PROJECT	
	Acres	%	Acres	%	Acres	%
Vacant Land	29.47	8.5	7.50	8.9	36.97	8.5
Single Family Resid.	23.05	6.6	13.98	16.5	37.03	8.6
Multi-Family Resid.	12.22	3.5	7.75	9.2	19.97	4.6
General Commercial	98.22	28.2	11.98	14.2	110.20	25.4
Automotive Commercial	43.15	12.4	4.80	5.7	47.95	11.1
Administrative-Profes.	21.99	6.3	1.19	1.4	23.18	5.3
Industrial	4.28	1.2	11.22	13.3	15.50	3.6
Governmental	1.52	0.4	-	-	1.52	0.4
Schools	16.41	4.7	-	-	16.41	3.8
Parks & Recreation	-	-	-	-	-	-
Church/Community	1.47	0.4	-	-	1.47	0.3
Utility	-	-	-	-	-	-
Open Space	0.79	0.2	-	-	0.79	0.2
SUBTOTAL	252.57	72.4	58.42	69.2	310.99	71.8
STREETS	96.07	27.6	26.05	30.8	122.12	28.2
TOTAL	348.64	100.0	84.47	100.0	433.11	100.0

CITY OF SAN BERNARDINO

Census Tracts

1980

 UPTOWN REDEVELOPMENT PROJECT



SAN BERNARDINO CITY POPULATION

CT	TOTAL (1975)	TOTAL (1980)	WHITE	%	BLACK RACE	%	SPANISH DECENT	%	INDIAN	%	ASIAN	%	OTHER	%
38	11	305	128	42.0	116	38.0	65	21.3	04	1.3	15	4.9	42	13.0
41	1,961	2,721	628	23.1	1,759	64.6	486	17.9	29	1.1	45	1.7	260	9.6
42	8,364	8,665	1,617	18.7	5,520	63.7	2,473	28.5	85	1.0	59	0.7	1,384	16.0
43	6,226	7,005	2,305	33.0	2,817	40.2	3,457	49.4	48	0.7	57	0.8	1,778	25.0
44	4,034	6,130	4,305	70.2	788	12.9	1,581	25.8	65	1.1	59	1.0	913	14.9
45	7,528	8,631	7,866	91.1	183	2.1	779	9.0	87	1.0	135	1.6	360	4.2
46	7,341	8,195	7,017	85.6	305	3.7	1,291	15.8	100	1.2	137	1.7	636	7.8
47	4,209	4,650	1,676	36.0	966	20.8	3,191	68.6	60	1.3	12	0.3	1,936	41.6
48	2,377	2,764	1,163	42.1	252	9.1	2,435	88.1	40	1.4	06	0.7	1,303	47.1
49	3,870	4,619	2,238	48.5	359	7.8	2,831	61.3	49	1.1	43	0.9	1,930	41.8
50	1,599	1,532	717	46.8	30	2.0	1,090	71.1	26	1.7	03	0.2	756	49.3
51	6,102	6,368	6,033	94.7	75	1.2	379	6.0	38	0.6	51	0.8	171	2.6
52	3,195	3,146	2,967	94.3	25	0.8	287	9.1	16	0.5	23	0.7	115	3.7
53	3,589	3,684	3,386	91.9	52	1.4	412	11.2	33	0.9	52	1.4	161	4.4
54	3,660	4,020	3,313	82.4	187	4.7	649	16.1	31	0.8	71	1.6	418	10.4
55	4,432	4,999	3,474	69.5	557	11.1	1,202	24.0	83	1.7	59	1.2	826	16.5
56	4,124	4,853	3,181	65.5	421	8.7	1,793	36.9	85	1.8	107	2.2	1,059	21.8
57	844	870	607	69.8	44	5.1	316	36.3	14	1.6	22	2.5	183	21.0
58	2,109	2,417	1,371	56.7	467	19.3	794	32.9	49	2.0	76	3.1	454	18.1
59	1,012	1,026	540	52.6	103	10.0	583	56.8	27	2.6	03	0.3	353	34.4
60	376	387	223	57.6	36	9.3	172	44.4	08	2.1	02	0.5	118	30.5
61	3,889	4,198	3,778	90.0	105	2.5	403	9.6	45	1.1	58	1.4	212	5.1
62	5,125	5,573	4,880	87.6	266	4.8	597	10.7	50	0.9	61	1.1	316	5.7
63	3,437	4,000	3,260	81.5	165	4.1	706	17.6	43	1.1	49	1.2	483	12.1

CT	TOTAL (1975)	TOTAL (1980)	WHITE	%	BLACK RACE	%	SPANISH DECENT	%	INDIAN	%	ASIAN	%	OTHER	%
64	1,800	2,027	1,245	61.4	308	15.2	466	23.1	40	2.0	58	2.9	376	18.5
65	455	926	490	52.9	165	17.8	325	24.3	32	3.5	54	5.8	185	20.0
71	21	06	06	100.0	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
72	997	1,110	535	48.2	345	31.1	311	28.0	27	2.4	15	3.5	188	16.9
73	811	1,000	657	65.7	175	17.5	114	11.4	13	1.3	66	6.6	89	8.9
74.01	1,965	4,475	4,140	92.5	62	1.4	290	6.5	22	0.5	123	2.7	128	2.9
74.02	2,244	3,270	2,811	86.0	149	4.6	259	7.9	48	1.5	83	2.5	179	5.5
75	1,457	1,282	837	65.3	246	19.2	186	14.5	17	1.3	18	1.4	164	12.8
76	991	976	582	59.6	295	30.2	73	7.5	05	0.5	59	6.0	35	3.6
77	1,436	1,614	1,143	70.8	318	19.7	107	6.6	16	1.0	60	3.7	77	4.8
79	--	20	20	100.0	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
101	712	1,116	1,068	95.7	27	2.4	65	5.8	04	0.4	10	0.9	07	0.6

TOTALS FOR THE CITY OF SAN BERNARDINO

102,303	118,580	80,207	67.6	17,688	14.9	30,168	25.4	1,339	1.1	1,751	1.5	17,595	14.9
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CITY OF SAN BERNARDINO

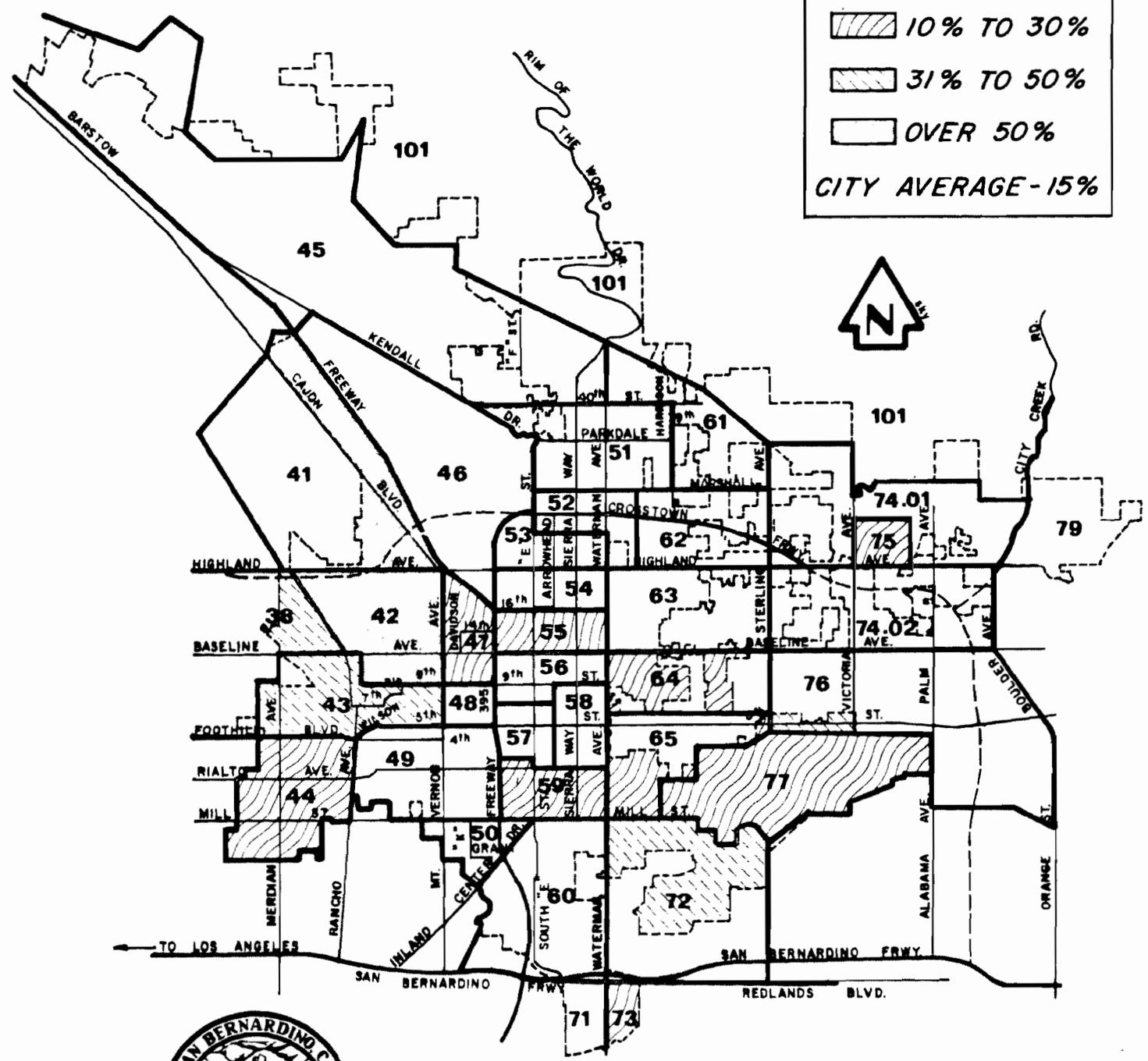
Census Tracts 1980

BLACK RACE

LEGEND

-  10% TO 30%
-  31% TO 50%
-  OVER 50%

CITY AVERAGE - 15%



CITY OF SAN BERNARDINO

'1980' CENSUS INFORMATION

TRACT NO.	City	City	City & County	City & County	City	City	City	City	
	TOTAL POP.	TOTAL DWELL. UNITS	FAMILY INCOME LEVEL; MEDIAN	INCOME BELOW POVERTY LEVEL Total Wkforce %	HOMES; MEDIAN VALUE	CONTRACT RENTALS; MEDIAN RENT	ELDERLY POP. Over 65	YOUTH POP. Under 19	
38	305	85	\$25,467	9000	8.83	\$63,000	\$392	5	136
41	2721	813	11,994	8766	30.13	33,600	185	155	1315
42	8665	2709	11,417	8422	29.09	36,200	153	786	3521
43	7005	2019	17,737	6952	14.96	46,000	157	1216	2804
44	6130	2493	14,378	6074	12.46	50,900	160	921	1923
45	8631	3329	22,271	11,320	7.24	62,500	243	684	2744
46	8195	3156	20,948	8158	7.78	53,600	249	816	2732
47	4650	1608	11,500	4608	29.04	32,700	157	410	1859
48	2764	888	10,583	2743	30.66	25,000	126	339	1138
49	4619	1865	10,858	4613	29.89	31,000	164	495	1735
50	1532	554	16,736	1524	16.60	42,600	184	167	535
51	6368	2643	24,709	6327	8.19	62,200	233	998	1469
52	3146	1475	21,858	3137	5.58	57,500	274	630	639
53	3684	1753	15,742	3607	7.90	50,000	201	696	810
54	4020	2060	15,369	3726	16.00	46,500	208	982	833
55	4999	2668	11,691	4977	24.03	41,800	187	802	1444
56	4853	2341	9,066	4823	29.17	37,700	183	637	1642
57	870	668	7,619	925	38.49	43,000	159	171	239
58	2417	1317	9,485	2369	24.27	32,700	162	421	683
59	1026	389	8,677	960	38.54	32,000	140	145	352
60	387	180	9,117	683	29.91	37,300	154	65	117
61	4198	1295	23,678	7643	4.38	67,500	262	290	1098
62	5573	2494	19,281	8317	9.31	57,300	277	516	1489
63	4000	1394	17,131	9030	11.55	50,700	223	764	1238
64	2027	899	11,893	5098	22.66	40,100	117	355	749
65	926	174	11,678	3655	27.17	52,100	178	51	234
71	6	4	26,095	9803	6.64	/	/	/	/
72	1110	400	15,109	5245	21.26	34,600	164	135	422
73	1000	517	17,670	11,315	16.53	45,600	214	57	284
74.01	4475	1913	29,262	9143	3.13	87,600	314	473	1258
74.02	3270	1652	20,226	12,315	9.78	67,800	273	444	814
75	1282	38	23,750	78	26.92	/	113	9	46
76	976	234	15,304	9846	15.18	97,500	230	6	524
77	1614	56	27,083	181	0	/	335	3	448
78	/	/	17,031	977	19.24	/	/	/	/
79	20	6	29,416	1104	13.04	/	/	1	8
101	1116	369	23,706	19,369	7.36	118,400	263	67	372
TOTAL	118,580	46,458		216,832	14.45			14,035	37,665
MEDIAN			\$16,965			\$51,600	\$195	TOTAL POP. 28.6 yrs.	

4/3/84

TABLE 7
 UPTOWN REDEVELOPMENT PROJECT
 1980 POPULATION AND RACIAL CHARACTERISTICS

PROJECT AREA	TOTAL POP.		WHITE		BLACK		INDIAN		ASIAN		OTHER		SPANISH DESCENT	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
SUBAREA "A"	702	52.0	524	74.6	59	8.4	13	1.9	11	1.6	95	13.5	151	21.5
SUBAREA "B"	647	48.0	380	58.7	16	2.5	8	1.2	13	2.0	230	35.6	354	54.7
TOTAL PROJECT	1,349	100.0	904	67.0	75	5.5	21	1.6	24	1.8	325	24.1	505	37.4

TABLE 8

4/3/84

UPTOWN REDEVELOPMENT PROJECT
HOUSING DATA

PROJECT AREA	TOTAL DU		SINGLE FAMILY		MULTI-FAMILY		OWNER OCCUPIED		RENTER OCCUPIED		VACANT		DU W/1.01 OR MORE PERSONS PER ROOM		DU LACKING COMPLETE PLUMBING		ONE PERSON HOUSEHOLDS	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
SUBAREA "A"	362	57.2	118	32.6	244	67.4	67	18.5	250	69.1	45	12.4	13	3.6	1	0.3	145	40.0
SUBAREA "B"	271	42.8	96	35.4	175	64.6	66	24.4	177	65.3	28	10.3	30	11.1	3	1.1	122	45.0
TOTAL PROJECT	633	100.0	214	33.8	419	66.2	133	21.0	427	67.5	73	11.5	43	6.8	4	0.6	267	42.2

TABLE 9
 UPTOWN REDEVELOPMENT PROJECT
 1980 HOUSEHOLD INCOME DATA

4/3/84

INCOME RANGE	MARKET AREA* SUBAREA "A"		MARKET AREA** SUBAREA "B"	
	NO.	%	NO.	%
Less than \$10,000	4,247	48.0	270	61.2
\$10,000 - \$19,999	2,869	32.5	109	24.7
\$20,000 - \$29,999	1,180	13.3	48	10.9
\$30,000 - \$39,999	374	4.2	14	3.2
\$40,000 - \$49,999	109	1.2	-	-
\$50,000 - \$74,999	49	0.6	-	-
\$75,000 or more	16	0.2	-	-
TOTAL	8,844	100.0	441	100.0

Notes: *Subarea "A" Market Area comprises all of Census Tracts 53,54,55,56 and Block Groups 2 and 3 of Tract 52.

**Subarea "B" Market Area comprises Block Group 1 of Census Tract 49.

TABLE 10
 UPTOWN REDEVELOPMENT PROJECT
 1980 FAMILY INCOME DATA

4/3/84

INCOME RANGE	MARKET AREA* SUBAREA "A"		MARKET AREA** SUBAREA "B"	
	NO.	%	NO.	%
Less than \$10,000	1,883	37.7	130	53.1
\$10,000 - \$19,999	1,832	36.7	67	27.3
\$20,000 - \$29,999	866	17.4	34	13.9
\$30,000 - \$39,999	290	5.8	14	5.7
\$40,000 - \$49,999	77	1.5	-	-
\$50,000 - \$74,999	34	0.7	-	-
\$75,000 or more	8	0.2	-	-
TOTAL	4,990	100.0	245	100.0

Notes: *Subarea "A" Market Area comprises all of Census Tracts 53,54,55,56 and Block Groups 2 and 3 of Tract 52.

**Subarea "B" Market Area comprises Block Group 1 of Census Tract 49.

4/3/84

TABLE 11
 UPTOWN REDEVELOPMENT PROJECT
 INVENTORY OF EXISTING COMMERCIAL
 SUMMARY OF TRADE CATEGORIES
 (SUBAREA "A")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
Construction	8	1.4	12,844	0.7	1.48	0.8
Manufacturing	2	0.4	72,125	3.8	4.5	2.3
Transportation, Communication and other Public Utilities	3	0.5	10,967	0.6	1.00	0.5
Wholesale Trade	7	1.2	26,708	1.4	5.69	2.9
Retail Trade	237	41.4	818,810	43.2	97.34	50.2
Finance and Real Estate	45	7.9	122,997	6.5	11.70	6.0
Services	260	45.5	674,316	35.5	69.13	35.7
Vacant	10	1.7	156,875	8.3	2.80	1.4
TOTAL	572	100.0	1,895,642	100.0	193.59	100.0

4/3/84

TABLE 12
 UPTOWN REDEVELOPMENT PROJECT
 INVENTORY OF EXISTING COMMERCIAL (BY STREET)
 (SUBAREA "A")

STREET	TOTAL BUILDING AREA		OCCUPIED SPACE		VACANT SPACE	
	SQ. FT.	%	SQ. FT.	%	SQ. FT.	%
Highland Avenue	489,310	25.8	458,660	93.7	30,650	6.3
Baseline Street	395,087	20.8	348,812	88.3	46,275	11.7
"E" Street	433,865	22.9	376,940	86.9	56,925	13.1
"D" Street	125,946	6.6	118,371	94.0	7,575	6.0
Sierra Way	135,925	7.2	123,400	90.8	12,525	9.2
West 8th Street	3,925	0.2	2,400	61.2	1,525	38.8
West 9th Street	13,599	0.7	12,199	89.7	1,400	10.3
Miscellaneous Streets	297,985	15.7	297,985	100.0	-	-
TOTAL	1,895,642	100.0	1,738,767	91.7	156,875	8.3

4/3/84

TABLE 13
 UPTOWN REDEVELOPMENT PROJECT
 INVENTORY OF EXISTING COMMERCIAL
 SUMMARY OF TRADE CATEGORY
 (SUBAREA "B")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
Construction	1	2.0	2,800	0.7	0.34	1.4
Manufacturing	5	10.2	97,075	22.8	3.95	16.3
Transportation, Communication and other Public Utilities	2	4.1	115,775	27.2	4.93	20.3
Wholesale Trade	2	4.1	9,400	2.2	0.82	3.4
Retail Trade	11	22.4	53,900	12.7	3.58	14.7
Services	14	28.6	50,150	11.8	4.30	17.7
Vacant	14	28.6	96,275	22.6	6.37	26.2
TOTAL	49	100.0	425,375	100.0	24.29	100.0

TABLE 14

4/3/84

UPTOWN REDEVELOPMENT PROJECT
INVENTORY OF EXISTING COMMERCIAL (BY STREET)
(SUBAREA "B")

STREET	TOTAL BUILDING AREA		OCCUPIED SPACE		VACANT SPACE	
	SQ. FT.	%	SQ. FT.	%	SQ. FT.	%
Second Street	142,850	33.6	75,650	53.0	67,200	47.0
Third Street	46,075	10.8	17,000	36.9	29,075	63.1
"I" Street	98,775	23.2	98,775	100.0	-	0.0
Rialto	137,675	32.4	137,675	100.0	-	0.0
TOTAL	425,375	100.0	329,100	77.4	96,275	22.6

4/3/84

TABLE 15a
 UPTOWN REDEVELOPMENT PROJECT
 DETAILED INVENTORY OF EXISTING COMMERCIAL
 (SUBAREA "A")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
<u>Construction:</u>						
Building Construction	4	50.0	3,450	26.9	0.21	14.2
Special Trade Contractors	4	50.0	9,394	73.1	1.27	85.8
TOTAL	8	100.0	12,844	100.0	1.48	100.0
<u>Manufacturing:</u>						
Food Products	2	100.0	72,125	100.0	4.45	100.0
TOTAL	2	100.0	72,125	100.0	4.45	100.0
<u>Transportation Public Utility:</u>						
U.S. Postal Service	2	66.7	10,300	93.9	0.83	83.0
Transportation Services	1	33.3	667	6.1	0.17	17.0
TOTAL	3	100.0	10,967	100.0	1.00	100.0
<u>Wholesale Trade:</u>						
Durable Goods	6	85.7	25,875	96.9	1.49	26.2
Non Durable Goods	1	14.3	833	3.1	4.20	73.8
TOTAL	7	100.0	26,708	100.0	5.69	100.0

4/3/84

TABLE 15b
 UPTOWN REDEVELOPMENT PROJECT
 DETAILED INVENTORY OF EXISTING COMMERCIAL
 (SUBAREA "A")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
<u>Retail Trade:</u>						
Building Mate- rials, Hardware	7	2.9	65,075	7.9	3.77	3.9
Food Stores	12	5.1	93,426	11.4	9.11	9.3
Auto Dealers, Gas Stations	55	23.2	134,208	16.4	18.70	19.2
Apparel and Accessories	4	1.7	10,305	1.2	0.76	0.8
Furniture and Equipment	29	12.2	132,315	16.1	8.83	9.1
Eating and Drink- ing	48	20.2	147,017	17.9	25.57	26.3
Miscellaneous Retail	82	34.6	239,464	29.1	30.60	31.4
TOTAL	237	100.0	818,810	100.0	97.34	100.0
<u>Finance and Real Estate:</u>						
Banking	8	17.8	53,275	43.3	3.50	29.9
Credit Agencies	6	13.3	11,815	9.6	1.77	15.1
Insurance Car- riers	7	15.6	9,657	7.8	1.19	10.2
Insurance Agents	7	15.6	11,625	9.5	1.04	8.9
Real Estate	17	37.7	36,625	29.8	4.20	35.9
TOTAL	45	100.0	122,997	100.0	11.70	100.0

4/3/84

TABLE 15c
 UPTOWN REDEVELOPMENT PROJECT
 DETAILED INVENTORY OF EXISTING COMMERCIAL
 (SUBAREA "A")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
<u>Services:</u>						
Hotels, Motels	2	0.8	23,825	3.5	1.32	1.9
Personal Ser- vices	64	24.6	129,533	19.2	18.81	27.2
Business Ser- vices	47	18.1	92,333	13.7	11.21	16.2
Automotive Repair	42	16.1	140,727	20.9	14.10	20.4
Miscellaneous Repair Services	10	3.8	19,854	3.0	1.84	2.7
Motion Pictures	1	0.4	11,475	1.7	0.22	0.3
Amusement and Recreation	15	5.8	64,538	9.6	3.65	5.3
Health Services	44	16.9	117,019	17.4	9.67	14.0
Legal Services	8	3.1	13,057	1.9	0.87	1.3
Educational Services	1	0.4	4,275	0.6	0.48	0.7
Social Services	9	3.5	33,000	4.9	2.70	3.9
Non-Profit Mem- bership Organi- zation	7	2.7	8,825	1.3	2.79	4.0
Miscellaneous Services	10	3.8	15,855	2.3	1.47	2.1
TOTAL	260	100.0	674,316	100.0	69.13	100.0

4/3/84

TABLE 16
 UPTOWN REDEVELOPMENT PROJECT
 INVENTORY OF EXISTING COMMERCIAL
 (SUBAREA "B")

COMMERCIAL CATEGORY	BUSINESSES		BUILDING SIZE		PARCEL SIZE	
	NO.	%	SQ. FT.	%	AC.	%
<u>Construction:</u>						
Building Con- struction	1	50.0	1,675	37.4	0.52	60.5
Special Trades	1	50.0	2,800	62.6	0.34	39.5
TOTAL	2	100.0	4,475	100.0	0.86	100.0
<u>Manufacturing:</u>						
Food and Kindred Products	1	20.0	55,875	57.6	1.85	46.8
Apparel	1	20.0	20,400	21.0	1.07	27.1
Printing, Pub- lishing	1	20.0	11,000	11.3	0.61	15.5
Fabricated Metal Products	2	40.0	9,800	10.1	0.42	10.6
TOTAL	5	100.0	97,075	100.0	3.95	100.0
<u>Transportation, Public Utility:</u>						
Warehousing	2	100.0	115,775	100.0	4.83	100.0
<u>Wholesale Trade:</u>						
Durable Goods	1	100.0	8,000	100.0	0.34	100.0
<u>Retail Trade:</u>						
Building Mate- rials	1	11.2	10,700	21.2	0.34	4.1
Food Stores	2	22.2	24,300	48.2	6.72	80.6
Auto Dealers/ Gas Station's	2	22.2	2,400	4.8	0.78	9.4
Eating Places	2	22.2	3,225	6.4	0.35	4.2
Misc. Rental	2	22.2	9,775	19.4	0.14	1.7
TOTAL	9	100.0	50,400	100.0	8.33	100.0
<u>Services:</u>						
Personal Services	5	33.3	8,800	16.4	0.22	5.3
Auto Repair Ser- vices	7	46.6	30,125	56.1	2.66	64.3
Recreation Ser- vices	1	6.7	1,500	2.8	0.22	5.3
Social Services	1	6.7	12,000	22.3	1.04	25.1
Misc. Services	1	6.7	1,300	2.4	-	-
TOTAL	15	100.0	53,725	100.0	4.14	100.0

Downey Negotiating Out of Court to Settle Redevelopment Suit

By RALPH CIPRIANO, Times Staff Writer

DOWNEY—City officials are pursuing an out-of-court settlement of a lawsuit filed by a residents group last July that seeks an injunction to prevent the city from setting up a 380-acre redevelopment district along Firestone Boulevard.

Last Monday, City Council members met behind closed doors for 90 minutes in an attempt to settle the suit filed by Downey CARES in Los Angeles County Superior Court. The suit, scheduled for a March 8 court hearing, charges that a City Council ordinance that approved boundaries for the redevelopment district last July should be overturned because of alleged official improprieties.

In the lawsuit, the residents' group charges that city officials attempted to subvert the intentions of state redevelopment law by declaring the Firestone corridor a "blighted" area when, the suit claims, the corridor is a "healthy commercial strip."

The suit also claims that the ordinance should be invalidated because Councilman James Santangelo, who cast the deciding vote in a 3 to 2 decision, had a conflict of interest because he owned property in the district.

In response, according to papers filed with the court, the city has accused Downey CARES of using "excessive demagoguery" in an attempt to get the courts to prevent the city from condemning property in the redevelopment district.

City officials also said that the state redevelopment law is written in broad terms that would include the Firestone property. The city says the corridor is "stagnant" and has become an "economic burden" because of zoning violations, poor planning, and a lack of public

services such as flood control, sidewalks and street lighting.

In addition, Santangelo and city officials claim in court papers and in interviews that the councilman did not violate state conflict-of-interest law because he disclosed his property holdings and did not stand to profit directly from creation of the district.

City officials argue that under state law, a public official can purchase, own or create or amend the boundaries of a redevelopment district, but once a district is created cannot vote on specific decisions, such as the building of a sidewalk, that would benefit him financially.

"We've very clearly been notified he did not break the law," City Manager Robert (Bud) Ostrom said of Santangelo's vote.

City's Position Supported

Lynn Montgomery, a spokesperson for the state Fair Political Practices Commission, said Thursday that the city's position on Santangelo's vote probably is correct.

Although lawyers for both sides declined comment on the case, Councilman Robert Cormack said the council is seeking an out-of-court settlement because it wants to end a battle that he says has become an "emotional thing."

"About all I can say is rather than go to the mat on this and go for a win, the consensus on the council is for a settlement of some sort," Cormack said.

Paul Sarvis, the McDonnell Douglas Corp. financial analyst who is president of Downey CARES, said his group is seeking a quick settlement.

"I'm always optimistic as long as
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everybody's talking," he said. Downey CARES' opposition to the redevelopment district dates back to 1983, when the city proposed a redevelopment district of 1,700 acres. After residents protested, the size of the district was reduced twice that year, first to 927 acres and then to 616 acres. The city dropped more than 200 acres occupied by Rancho Los Amigos Medical Center, land occupied by

to pay for improvements in the district, typically by selling bonds. The bonds are repaid from enhanced property taxes that are earmarked for the district and diverted from school districts and other local governments that normally would receive the money.

Has Sold Property

At the time of the vote last July, Santangelo, who had been elected to the council a month before,

he has a conflict of interest, he wishes he had abstained from the vote. Santangelo said he openly disclosed his land holdings in public meetings, stated his holdings in a public financial report filed at City Hall, and cast his vote for the redevelopment district after discussing it with city lawyers. He said he voted for the district because it was "best for the community."

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In 1984, the redevelopment district was scaled down to the current 380 acres, which takes in properties along and adjacent to Firestone Boulevard.

In a redevelopment district, a special fund of tax money is set up

to pay for improvements in the district, typically by selling bonds. The bonds are repaid from enhanced property taxes that are earmarked for the district and diverted from school districts and other local governments that normally would receive the money.

Has Sold Property

At the time of the vote last July, Santangelo, who had been elected to the council a month before, owned a piece of property in the district, at 10802 S. Downey Ave. The property includes a building that houses Santangelo's real estate business as well as a chiropractor's office. He has since sold the property for \$300,000 and said that he plans to move his office.

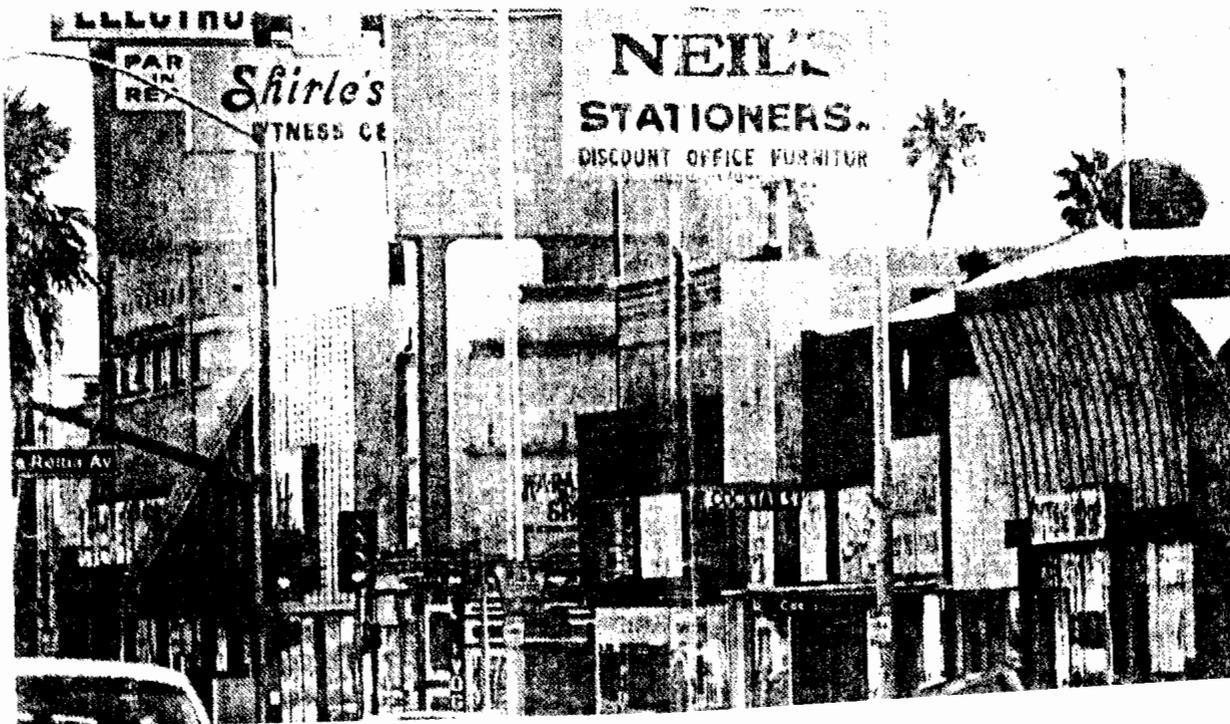
Santangelo said in an interview that, although he does not believe

he has a conflict of interest, he wishes he had abstained from the vote.

Santangelo said he openly disclosed his land holdings in public meetings, stated his holdings in a public financial report filed at City Hall, and cast his vote for the redevelopment district after discussing it with city lawyers. He said he voted for the district because it was "best for the community."

"If my mind and heart were one I had no conflict," said Santangelo. But, he added, "I think it would have been better if I abstained" to avoid the debate over the possible conflict of interest.

Santangelo owns four other pieces of property, which amount to 1 1/2 acres, in a redevelopment district previously set up in 1978.



Los Angeles
Saturday, Feb. 17, 1985