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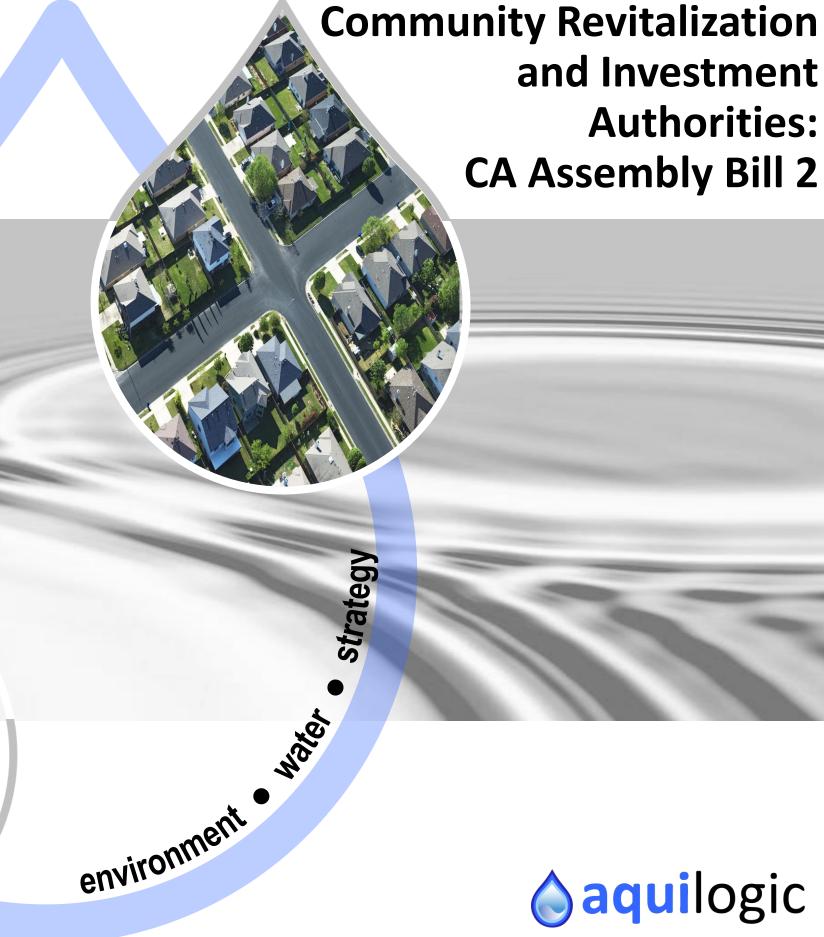
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Redevelopment Agencies Revisited

On September 22, 2015, Assembly Bill (AB) 2 was signed by Governor Brown. The bill allows local governments to create Community Revitalization and Investment Authorities (CRIAs) within a revitalization and investment area (RIA) for purposes related to infrastructure, affordable housing, and economic revitalization.

Similar to the original mission of the more than 400 Community Redevelopment Agencies (RDA's) dissolved in February 2012, as part of AB 26 (June 2011), the CRIA's developed under AB 2 can:

- Provide low and moderate income housing.
- Provide financing of these activities by issuing bonds serviced by tax revenues.
- Adopt a Community Revitalization and Investment Plan (CRIP) for the RIA.
- Acquire and transfer real property and exercise the power of eminent domain.

Further, AB 2 also requires:

- Periodic audits by the State Controller.
- The Department of Housing and Community Development to periodically review the calculation of surplus housing.
- Funds allocated to the CRIA to be deposited into a separate Low and Moderate Income Housing Fund and used for the purposes of increasing, improving, and preserving the community's low income housing availability.
- Make relocation provisions for persons displaced by a CRIP and replace certain dwelling units that are destroyed or removed as part of a plan.

Who Can Form a CRIA?

A CRIA can be formed in one of two manners:

- 1. A city, county, or city and county together can create a CRIA; or
- 2. A city, county, city and county, and special district (e.g., county service area, maintenance district or area, improvement district or zone, Air Quality Management District [AQMD], or select county free libraries) can create a CRIA by entering into a joint powers agreement (JPA).

Regardless of how a CRIA is formed, the administrative body of the CRIA must include at least two members of the public who live or work within the RIA.

Who Cannot Form a CRIA?

As defined within AB 2, the following entities are precluded from participation in the formation and management of a CRIA:

- Redevelopment successor agencies formed subsequent to the February 2012 RDA wind-down process.
- Any governmental entity that has not completed the wind-down process of its RDA and received a finding of completion from the Department of Finance.
- School related entities (school districts, community college districts, Educational Revenue Augmentation Fund, and county superintendents of schools).

What are the Powers of the CRIA?

CRIAs can:

- Fund the rehabilitation, repair, upgrade, or construction of infrastructure
- Clean hazardous waste (per AB 440)
- Acquire and transfer real property
- Incur debt
- · Make loans or grants for rehabilitation or retrofitting of buildings in the area
- Assist businesses in connection with new or existing facilities for industrial or manufacturing uses
- Provide seismic retrofitting to existing buildings
- Issue bonds
- Adopt a community revitalization and investment plan
- Construct structures necessary for air rights
- Provide low and moderate-income housing

Where can a RIA be formed?

In order to develop and adopt a Community Revitalization and Investment Plan (CRIP) within a RIA, the following conditions must

- A minimum of 80 percent (%) of the designated area must have an annual median household income that is less than 80% of the statewide annual median income; and
- Three of following conditions must be met:
- 1. Unemployment is at least 3% higher in the area than the statewide median unemployment.
- 2. The crime rate is 5% higher than the statewide median crime rate.
- The area has deteriorated or inadequate infrastructure such as streets, sidewalks, parks, water supply, and/or sewer treatment.
- The area has deteriorated commercial or residential structures.

Prior to adoption of the CRIP, the CRIA must present the details of the plan at three public hearings 30 days apart to: (1) first hear comments; then (2) consider additional comments and modify or reject the plan; and (3) conduct a protest proceeding where the CRIA considers the protests by property owners and residents, and ultimately makes a decision to terminate the proceedings or adopt the plan. The public hearing process is required to be held every 10 years after the adoption of a CRIP by the CRIA. The CRIP will be accepted or rejected by the CRIA based upon the number of protests received according to the following schedule:

% of Residents AND Property Owners Protesting Proposed CRIP	CRIP Outcome
> 50%	Rejection
25% to 50%	Hold election; accept or reject CRIP based upon simple majority of residents AND property owners
< 25%	Adoption of CRIP following 3 rd community meeting

When does this process start?

AB 2 and the development of CRIAs goes into effect beginning January 1, 2016.

How can contaminated properties be addressed?

AB 440, signed into law in October 2013, allows local public entities (that is, cities, counties and their respective public agencies, including CRIAs) to use the powers in the Polanco Act (AB 3193). The Polanco Act includes measures authorizing public entities to direct cleanup of contaminated properties within their jurisdictions and obtain immunity for liability under state law if such cleanups are conducted in a certain manner. A separate brochure and white paper on AB 440 and the Polanco Act are also available at: www.aquilogic.com/publications.php