DRAFT

Relocation Impact Study and Last Resort Housing Plan
for the
Stony Point Road Widening Project

Prepared For
The City of Santa Rosa

September 2009

Submitted By

[Name and Logo]
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Example of General Information Notices
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Executive Summary

In 2004 the City of Santa Rosa (City) approved funding for the planning and implementation of the Stony Point Road Widening Project (Project) that runs from US Hwy 12 to 1,000 feet south of Hearn Avenue. The reconstruction and widening of Stony Point Road consists of widening the existing road to include four lanes with five-foot-wide bike lanes, six-foot-wide sidewalks and medians between Sebastopol Road and Hearn Avenue. Curb and gutter on both sides of the road is included throughout the reconstruction and widening project. The installation of trees, shrubs and groundcovers is proposed within the medians at various locations. Additional landscaping is proposed to be included in two- to eight-foot-wide planter strips between the curbs and sidewalks. Turning movement lanes are planned at intersection locations.

The following map shows the location of the Project along Stony Point Road in southwest Santa Rosa.

![Project Area Map]

The widening of Stony Point Road will result in the City attempting to acquire a portion of 32 properties. Acquiring these property rights would not require the relocation of any occupants. The City would need to attempt to acquire an additional 13 properties that are occupied by 17 households and one business. There are twelve tenant-occupied residences, five owner-occupied dwellings, and one business that would be required to relocate if the City were successful in its efforts to acquire the properties.

The California Relocation Assistance Act of 1970, as amended (California Government Code 7260), and by the California Department of Housing and Community Development Guidelines
promulgated thereto (California Code of Regulations, Title 25, Chapter 6) were designed to ensure that uniform, fair and equitable treatment is afforded persons displaced from their homes, businesses or farms as a result of the actions of a public entity in order that such persons should not suffer disproportionate injury as a result of an action taken for the benefit of the public as a whole; and to ensure consistent and fair treatment for property owners, to encourage and expedite acquisition by agreement with owners.

The City of Santa Rosa has attempted to secure information on the occupants living in the identified properties in order to adequately plan for the acquisition of the properties and the relocation of the occupants. This Relocation Impact Study and Last Resort Housing Plan (Relocation Plan) has been prepared in order to provide the property owners, the occupants of the properties, the citizens of Santa Rosa, and the City of Santa Rosa with information concerning the anticipated impacts of the road widening project and the measures that will be taken to mitigate such impacts. Specifically, this Relocation Plan concerns itself with the resources available to relocate the business and all residential occupants to replacement sites in the greater community. Three principal topics will be highlighted in this Relocation Plan.

**Relocation Impact:** This section of the Relocation Plan describes the effects of the Project on the project occupants. Information in this section is the result of general research and interviews with project occupants. The Relocation Impact section will describe the project area, the types and size of affected housing, and general occupant characteristics. Particular attention has been placed on the occupant interviews which define the occupants’ personal concerns regarding their replacement site needs.

**Relocation Resources:** An analysis was completed on the availability of housing and commercial replacement sites in Santa Rosa to determine the feasibility of relocating occupants into the area.

**Relocation Assistance Program:** This section outlines the policies and procedures provided to govern the treatment of all project occupants. These policies and procedures are regulated by State Laws and Regulations and have been adopted by the City of Santa Rosa to mitigate the impact of redevelopment activities.

**Project Assurances.** The City of Santa Rosa is committed to providing Relocation Assistance to all eligible occupants who reside in or operate a business in the Project Area and who are required to relocate as a result of the Project. Eligible residential occupants are defined in part by their length of occupancy. In order to receive full Relocation Assistance, residential tenant occupants are required to reside on the property as legal occupants 90 days prior to the date the City of Santa Rosa makes a written offer to purchase the property from the property owners. Residential owner occupants must occupy the property for at least 180 days prior to the date of the first written offer in order to receive full benefits. Commercial occupants must demonstrate that they
were operating a business on the property at the time of the first written offer.

The City of Santa Rosa offers the following Project Assurances:

1. Fair and reasonable relocation payments will be provided to eligible persons as required by Government Code Section 7260, et seq. and the California Code of Regulations, Title 25, Chapter 6 ("Act and Guidelines").

2. The City will adopt a Relocation Assistance Program in compliance with the Act and Guidelines.

3. All eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures, provided for in the Act and Guidelines.

4. Comparable replacement housing will be available within a reasonable period of time prior to displacement, sufficient in number, size and cost for the eligible persons who require them.

5. Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.

6. This Relocation Plan has been prepared to meet the requirements of the California Code of Regulations, Title 25, Section 6038.

7. All persons who will be displaced, neighborhood groups and any relocation committee shall be given an opportunity and shall be encouraged fully and meaningfully to participate in reviewing the relocation plan and monitoring the relocation assistance program.

8. A Relocation Advisor will identify comparable replacement dwellings within each tenant household’s financial means that are available to them and will provide assistance in obtaining housing of their choice, including assistance in the referral of complaints of discrimination to the appropriate Federal, State or local fair housing enforcement agency.

9. The City shall fully inform eligible persons with 60 days following the initiation of negotiations (but not later than the close of escrow) as to the availability of the assistance that is available under the Relocation Assistance Program.

Project Scheduling. The Project is scheduled to begin construction with the relocation of the utilities in January 2011 at the earliest. In order to accommodate that schedule and to allow for sufficient time to relocate into the community, the City has determined to appraise the affected properties in the summer of 2009. Shortly thereafter, the City will initiate negotiations for the purchase of properties – some of which are not occupied and are therefore, not addressed in this Plan. Occupants become eligible to receive Relocation Assistance once a written offer has been made by the City to acquire the property.
It is anticipated that all occupants will become eligible to receive Relocation Assistance by the fall of 2009. As a result, occupants will have approximately one year to identify and secure replacement sites.

**Basis of Findings.** In order to determine the project impact and the feasibility of relocating the occupants into the surrounding community, the residential occupants and business owner were interviewed to determine their current characteristics and their replacement site needs. The Santa Rosa housing market was studied to determine the availability of housing to accommodate the needs of the affected households. A survey of available retail spaces was conducted to identify potential replacement sites for the affected business.

**Project Funding.** The Redevelopment Agency and Development fees are the funding source to acquire all properties and to relocate all affected occupants in accordance with the Relocation Assistance Program. The City has determined that the funds will be available as needed.

**Concurrent Residential Displacement.** If the City is successful in acquiring the properties, 18 households and one business would be required to move prior to September of 2010. There is no significant concurrent displacement in Santa Rosa that is expected to impact housing options for the households. Given the current availability of housing in Santa Rosa, these displacements should not significantly impact the availability of housing for citizens searching for housing in the Santa Rosa area.

**Estimate of Project Relocation Costs.** The following estimates are for budgeting purposes only. These figures should not be interpreted as firm, "not to exceed" or actual entitlement costs. These figures are based on the data obtained through the occupant interviews, current project scope, replacement site availability, and the judgment and experience of the writer. The estimates do not include payments to consultants or to contractors.

<table>
<thead>
<tr>
<th>Most Probable Cost</th>
<th>High Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>$735,000</td>
<td>$920,000</td>
</tr>
</tbody>
</table>
Relocation Impact

The proposed Project would affect five owner-occupied residences, 13 tenant-occupied dwellings, and a convenience store which employs one full-time employee and one part employee. The type of dwellings occupied by the tenant occupants includes apartments, single-family residences, and duplexes.

Several sources of information were utilized to collect the following information on the project area and project occupants. The primary resource consisted of personal interviews with 14 of the 17 households and one business owner, which equates to approximately 79% of the impacted occupants.

All interviews were conducted on a voluntary basis. Information related to business characteristics, household size, and household income was requested and utilized in the analysis of the project impact and cost. However, due to the nature of this Relocation Plan, no attempt has been made to verify the accuracy of the information disclosed. Such information will be verified as the Project progresses.

Impact to Residential Occupants

Seventeen households would be affected by the proposed Project; 13 are tenant-households and four are owner-occupied households. Six tenant households occupy single family houses; one lives in an apartment located above the store, two live in detached cottages, and the four remaining households rent duplexes.

Four of the owner-occupied properties are single family residences. The fifth property owner lives in a portion of a duplex.

There are 13 tenant occupied households with an estimated 49 occupants. The four owner-occupied households have approximately 12 occupants total.

Several tenants declined to be interviewed. Other tenants were not interviewed at the request of the property owner. For the purpose of our survey, it was assumed that 3 adults occupy these properties.

<table>
<thead>
<tr>
<th>Affected Rental Units</th>
<th>Number of People Occupying Such Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Duplexes</td>
<td>20</td>
</tr>
<tr>
<td>6 Single Family Residences</td>
<td>18</td>
</tr>
<tr>
<td>1 Apartment</td>
<td>8</td>
</tr>
<tr>
<td>2 Cottages</td>
<td>3</td>
</tr>
<tr>
<td>TOTAL OF DISPLACED TENANTS</td>
<td>49</td>
</tr>
<tr>
<td>Description of Residential Unit</td>
<td>Number of People Occupying Such Units</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>1 Duplex</td>
<td>1</td>
</tr>
<tr>
<td>3 Single Family Residences</td>
<td>11</td>
</tr>
<tr>
<td>TOTAL OF DISPLACED OWNERS</td>
<td>12</td>
</tr>
</tbody>
</table>

The Project Area is conveniently located within half a mile from a supermarket and other convenience stores, restaurants, and public transportation. Each of the occupied properties is situated along the heavily traveled Stony Point Road.

Altogether, there are an estimated 61 people living within the project area. Of the 61 people living in the project area, 33 are adults (54%), 22 are children under 18 years of age (36%) and 6 (10%) are senior citizens.

The children attend the local primary, elementary and secondary schools in the area. Most of the households stated that they intend to relocate within the immediate area so that their children can remain in the same schools.

**Overcrowded Conditions.** Five of the affected households are currently living in overcrowded conditions based upon the City’s housing occupancy standards for relocation programs. The City’s occupancy standards state that no more than two people per bedroom and one in the living room will be allowed at the replacement site. Therefore, the households will be provided the necessary additional assistance to rent dwellings that better accommodate the size of their households.

**Accessibility Needs.** Three of the households in the project reported that senior members had physical limitations that would require special advisory or housing assistance. In general, the accessibility concerns would be mitigated with replacement dwellings situated on the first floor and with easy access to public transportation. The City’s Relocation Assistance Program can provide the funds needed to make those accommodations. The City’s Relocation Advisor will work closely with each of the identified households to ensure that they have assistance in searching for replacement dwellings and that replacement dwellings meet the special needs of these households.

**Language.** The project area is home to residents of diverse languages and cultures. Three of these households have requested to receive correspondence in Spanish. The Relocation Advisor has been conducting the interviews in Spanish. However, it was reported that most occupants speak English as their primary language. Several households speak English fluently even though English is not their primary language. If additional language assistance is necessary, the City will make every attempt to communicate with those households and to provide the necessary additional advisory assistance to secure a replacement site.

**Current Rent and Affordability.** The affected residential properties are rented on a monthly basis. Rental rates for these dwellings vary based on the size and type of dwelling. The interviewed tenants reported the following monthly rent for the project properties:
### Current Monthly Rent Rates

<table>
<thead>
<tr>
<th>Description of Residential Unit</th>
<th>Current Monthly Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residence</td>
<td>$0 to $1,475</td>
</tr>
<tr>
<td>Detached Cottages</td>
<td>Rent unknown</td>
</tr>
<tr>
<td>Duplex</td>
<td>$995 to $1,150</td>
</tr>
<tr>
<td>Apartment</td>
<td>$1,084</td>
</tr>
</tbody>
</table>

It is not known at this time if any of the households are currently pay more than 30% of their monthly income towards rent. Relocation Regulations state that housing which exceeds 30% of a household’s adjusted gross monthly income is not “affordable housing” nor is it “within the financial means of the displaced household.” Therefore, these households will be assisted through the Last Resort Housing Program as outlined in this Study so that their rent for a comparable replacement site will not exceed 30% of the household’s adjusted gross monthly income. The market analysis for this Relocation Plan has demonstrated that almost all households will be required to pay higher rents for comparable replacement dwellings in the area. Other affected households may be eligible to receive assistance under the City’s Last Resort Housing Program if their total Rental Assistance exceeds $5,250.

**Transportation.** Several of the households reported that they rely mainly on their own car or relatives to access places of employment, shopping areas and medical services. Bus stops are conveniently located along major thoroughfares in both residential and commercial neighborhoods throughout the City.

Displaced residents with limited mobility also use the services of Wheelcare, a transportation service which helps senior citizens by driving them to their medical appointments. A Relocation Advisor will work closely with these households to identify replacement housing with similar access to public transportation.

**Home-based Businesses.** No occupants reported that they conducted a business from their home.

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### Impact to Business Occupant

There is one business operating in the project area; it is a convenience store/liquor store. It employs the business owner and two employees, one part-time and one full-time. The business will need to relocate as part of the widening of Stony Point Road.

The owner of the store was interviewed and the Relocation Agent was provided with certain information regarding the business structure and site characteristics. The business owner also provided important information about the type of replacement site needed and the preferred area of relocation.
Relocation Resources

The project area is situated in a well traveled part of Santa Rosa. Stony Point Road has become a popular alternate route for drivers who do not wish to use Highway 101, as it runs parallel to the freeway. Traffic on Stony Point Road is particularly heavy in the morning as people use it to travel to their work place and later to return home at the end of the day.

The City’s Relocation Assistance Program will include assistance to find replacement sites in the area that are comparable to the properties being affected. Comparable commercial sites and residential replacement sites are widely available in the area.

Residential Relocation Resources

The proposed project will cause the displacement of 13 tenant-occupant properties and four owner-occupied residences. This section of the Relocation Impact Study identifies potential replacement sites for all project residents, first identifying replacement sites for owners, than tenants. The information on housing in the area is included as a general representation of available sites. The sites included herein may or may not be available at the time of displacement.

Each of the residential occupants will have the option to relocate to an area of their choice and into whatever type of housing they choose. The City will be responsible to assist each household to relocate into comparable replacement housing, which, for the purposes of this Study, is determined to be housing in the Santa Rosa area that is comparable in size and structure to the existing homes and which accommodates the size of the household being displaced. All replacement housing must meet decent, safe and sanitary requirements. In order to meet Decent, Safe and Sanitary requirements, a replacement site must meet the following criteria:

- Be structurally sound, weather-tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a safe heating system capable of sustaining a healthful temperature.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced household. The City has determined that no more than two persons should occupy a bedroom at the replacement site.
- Contain unobstructed egress to safe, open space at ground level. If the dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have a least two means of egress.
- For a person who is mobility impaired, be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling by such person.
The search for replacement sites was conducted within the City of Santa Rosa. Relocation within the City of Santa Rosa will ensure that the occupants will have similar access to public services, public facilities, transportation, and employment.

<table>
<thead>
<tr>
<th>Current Housing Type In Project Area</th>
<th>Current Bedroom Size</th>
<th>Replacement Site Needs Based on Bedroom Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Duplexes</td>
<td>2 br</td>
<td>3 - 2 br duplexes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 - 3 br sfr</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 - 4 br sfr</td>
</tr>
<tr>
<td>9 Single Family Residences</td>
<td>3 sfr - 3 br</td>
<td>3 - 3 br sfr</td>
</tr>
<tr>
<td></td>
<td>4 sfr - 2br</td>
<td>2 - 3 br sfr</td>
</tr>
<tr>
<td></td>
<td>1 sfr - 4 br</td>
<td>2 - 2 br sfr</td>
</tr>
<tr>
<td>1 Apartment</td>
<td>3 br</td>
<td>1 - 4 br sfr</td>
</tr>
<tr>
<td>2 Cottages</td>
<td>1 br</td>
<td>2 - 1br cottages</td>
</tr>
</tbody>
</table>

The following survey of available residential units was conducted in April and May of 2009. The survey utilized local newspapers, internet web sites, Brokers, interviews with property owners and managers, and driving surveys. It should be noted that not all available sites were included in this analysis. Available residential properties that were not listed in traditional advertisements may have been overlooked in the driving survey.

**Available Replacement Duplexes For Sale.** One owner occupies a two-bedroom duplex in the project. During the search period, there was a very limited availability of two-bedroom duplexes, but an abundance of two-bedroom condominiums and townhouses; therefore two-bedroom condominiums and two-bedroom townhouses were selected as comparable replacement sites. Our research indicated that there was ample supply of two-bedroom condominiums available for sale to accommodate the owner of the duplex who will be displaced.

The search was expanded to the whole city of Santa Rosa and was not limited to the southwest portion where the project is located. Listed below, is a sample of two-bedroom condominiums and townhouses that are currently for sale on the market. This listing is representative only and does not encompass the totality of two-bedroom condominiums available for purchase.

Two-Bedroom Condominiums and Townhouses Available For Sale
Santa Rosa, CA

<table>
<thead>
<tr>
<th>Address</th>
<th>Listed Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>2791 McBride Lane # 114</td>
<td>$169,000</td>
</tr>
<tr>
<td>569 Mission Blvd</td>
<td>$182,000</td>
</tr>
<tr>
<td>42 Aspen Meadows Circle</td>
<td>$299,000</td>
</tr>
<tr>
<td>3322 Parker Hill Road</td>
<td>$349,000</td>
</tr>
</tbody>
</table>

**Available Three-Bedroom Single Family Residences For Sale.** The remaining three owner occupants in the project area occupy three-bedroom single family residences. The table below shows a sample of three-bedroom houses that were available for sale in Santa Rosa. This listing is representative only and does not encompass the entire inventory of
three-bedroom single family residences available for purchase. Research indicated that there was ample supply of three-bedroom single family residences available for sale to accommodate the four owner occupant households that will be displaced.

No determination has been made as to the direct comparability of these houses to the affected houses in the project area. That determination will be made based on a closer examination of both the affected project units and the available replacement sites at time of displacement and preparation of housing valuation studies.

<table>
<thead>
<tr>
<th>Address</th>
<th>Listed Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>953 Crone Court</td>
<td>$229,500</td>
</tr>
<tr>
<td>245 Felicidad Court</td>
<td>$249,500</td>
</tr>
<tr>
<td>1253 Harwood Street</td>
<td>$254,950</td>
</tr>
<tr>
<td>3373 Mojave Avenue</td>
<td>$289,000</td>
</tr>
<tr>
<td>1281 Monday Court</td>
<td>$267,390</td>
</tr>
<tr>
<td>3700 Skyview Drive</td>
<td>$296,500</td>
</tr>
<tr>
<td>1942 San Miguel Road</td>
<td>$297,000</td>
</tr>
<tr>
<td>1541 Moonview Court</td>
<td>$299,000</td>
</tr>
<tr>
<td>1010 Modoc Drive</td>
<td>$299,050</td>
</tr>
<tr>
<td>523 Natalino Court</td>
<td>$314,800</td>
</tr>
<tr>
<td>2029 Northfield Drive</td>
<td>$324,950</td>
</tr>
<tr>
<td>1926 Waterford Street</td>
<td>$325,000</td>
</tr>
<tr>
<td>1231 Hahman Drive</td>
<td>$334,900</td>
</tr>
<tr>
<td>1914 Waltzer Road</td>
<td>$350,000</td>
</tr>
<tr>
<td>426 Oak Lake Avenue</td>
<td>$350,000</td>
</tr>
<tr>
<td>4915 Perezoso Calle</td>
<td>$352,000</td>
</tr>
<tr>
<td>2216 Fremont Drive</td>
<td>$359,000</td>
</tr>
<tr>
<td>1649 Tarkenton Court</td>
<td>$379,000</td>
</tr>
</tbody>
</table>

It should be noted that the above list of available homes does not include "As Is" sales, homes for sale by owner and homes in foreclosure.

The following information reflects some of the comparable replacement sites available to tenants who will need to relocate due to the project.

**Two-Bedroom Duplexes.** There was a limited supply of two-bedroom duplexes available for rent in March 2009 in Santa Rosa, but ample inventory of two-bedroom condominiums and townhouses, therefore two-bedroom condominiums will be used for comparable replacement sites. The rent for these units ranges from $1,000 to $1,295. These units are generally equivalent to the affected project units in terms of quality, condition and amenities. The majority of duplexes include some utilities in the rent rate. Typically, the landlord pays water, sewer and garbage. However, in most cases the tenant is required to pay for gas and electric charges. Tenants will be compensated for increase in housing costs through the City's Relocation Assistance Program. Four different households currently renting will be required to relocate into duplexes.
The table below shows a sample of two-bedroom duplexes or townhouses available. No determination has been made as to the direct comparability of these units to the affected two-bedroom units. That determination will be made based on a closer examination of both the affected unit and the available replacement sites.

<table>
<thead>
<tr>
<th>Address</th>
<th>Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2629 Coffee Lane</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>726 Orchard Street</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Mountain Vista Circle</td>
<td>$1,150.00</td>
</tr>
<tr>
<td>128 Jack London Drive</td>
<td>$1,185.00</td>
</tr>
<tr>
<td>2001 Piner Road</td>
<td>$1,195.00</td>
</tr>
<tr>
<td>1215 Hidden Creek Place-A</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Eardley Avenue @ College</td>
<td>$1,295.00</td>
</tr>
</tbody>
</table>

**Two-Bedroom Single Family Residences.** There were sufficient two-bedroom single family residences available for rent in Santa Rosa. The rent for these units ranges from $1,350 to $1,600. These units are generally equivalent to the affected project houses in terms of quality, condition and amenities. The majority of apartments include some utilities in the rent rate. Tenants will be compensated for increase in housing costs through the City’s Relocation Assistance Program. Five tenant-occupied of two-bedroom houses will be required to relocate as a result of the project.

The table below shows a sample of two-bedroom houses available. No determination has been made as to the direct comparability of these units to the affected two-bedroom units. That determination will be made based on a closer examination of both the affected unit and the available replacement sites.

<table>
<thead>
<tr>
<th>Address</th>
<th>Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2498 College Park</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>2347 Roburta Lane</td>
<td>$1,245.00</td>
</tr>
<tr>
<td>2111 Kawana Springs Road</td>
<td>$1,327.00</td>
</tr>
<tr>
<td>7509 Oak Leaf Drive</td>
<td>$1,350.00</td>
</tr>
<tr>
<td>823 Orchard Street</td>
<td>$1,350.00</td>
</tr>
<tr>
<td>2333 Clairborne Circle</td>
<td>$1,445.00</td>
</tr>
<tr>
<td>750 Davis Street</td>
<td>$1,500.00</td>
</tr>
</tbody>
</table>

**Three-Bedroom Single-Family Residences.** There was ample availability of three-bedroom single-family residences for rent in Santa Rosa. The rent for these units ranges from $1,500.00 to $1,750.00. These units are generally equivalent to the affected project houses in terms of quality, condition and amenities. The majority of houses include some utilities in the rent rate. Typically, the landlord pays water, sewer and garbage. Tenants will be compensated for increase housing costs through the City’s Relocation Assistance Program.
The table below shows a sample of three-bedroom single-family residences available. No determination has been made as to the direct comparability of these units to the affected three-bedroom units. That determination will be made based on a closer examination of both the affected unit and the available replacement sites at the time of displacement and preparation of the housing valuation study.

<table>
<thead>
<tr>
<th>Address</th>
<th>Monthly Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>255 Brand Road</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>902 Kingwood Street</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>820 Liama Drive</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>2323 Lemur</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>2111 Kawana Springs Road</td>
<td>$1,598.00</td>
</tr>
<tr>
<td>415 Umland</td>
<td>$1,600.00</td>
</tr>
<tr>
<td>1280 Hearn</td>
<td>$1,600.00</td>
</tr>
<tr>
<td>1606 Brandee Lane</td>
<td>$1,625.00</td>
</tr>
<tr>
<td>1509 Pemberton Place</td>
<td>$1,750.00</td>
</tr>
</tbody>
</table>

**Four-Bedroom Single Family Residences.** There was ample supply of four-bedroom single-family residences in Santa Rosa. Three tenants will need to relocate to a four-bedroom house as a result of the project. The rents for these houses range from $1,700 to $2,150. These units are generally equivalent to the affected project houses in terms of quality, condition and amenities. Tenants will be compensated for increase housing costs through the City’s Relocation Assistance Program.

The table below shows a sample of four-bedroom houses available for rent. No determination has been made as to the direct comparability of these units to the affected four-bedroom houses in the project. That determination will be made based on a closer examination of both the affected unit and the available replacement sites at time of displacement and preparation of the housing valuation study.

<table>
<thead>
<tr>
<th>Address</th>
<th>Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>748 West College Avenue</td>
<td>$1,700.00</td>
</tr>
<tr>
<td>1625 Ridley</td>
<td>$1,700.00</td>
</tr>
<tr>
<td>467 Jose Ramon Avenue</td>
<td>$1,700.00</td>
</tr>
<tr>
<td>777 Zuur Street</td>
<td>$1,600.00</td>
</tr>
<tr>
<td>2415 Quail Hollow Drive</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>1968 Genero</td>
<td>$1,850.00</td>
</tr>
<tr>
<td>4814 Sullivan Way</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>1617 Kerry</td>
<td>$2,150.00</td>
</tr>
</tbody>
</table>
**One-Bedroom Cottages.** There was a sufficient supply of one bedroom cottages for rent in Santa Rosa to accommodate the households required to move due to the project. Two households will need to relocate to a one-bedroom cottage as a result of the project. The rents for these replacement sites range from $850 to $1,100. These units are generally equivalent to the affected project houses in terms of quality, condition and amenities. Tenants will be compensated for increase housing costs through the City's Relocation Assistance Program.

The table below shows a sample of one-bedroom cottages available for rent. No determination has been made as to the direct comparability of these units to the affected one-bedroom cottages in the project. That determination will be made based on a closer examination of both the affected unit and the available replacement sites.

<table>
<thead>
<tr>
<th>Address</th>
<th>Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>931 Temple Avenue</td>
<td>$850.00</td>
</tr>
<tr>
<td>3300 Fulton Rd</td>
<td>$950.00</td>
</tr>
<tr>
<td>Wallace Road at Rebil</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>3084 Holland Drive</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**Commercial Relocation Resources**

In an effort to ascertain the availability of replacement sites, a survey was conducted of commercial properties for lease in Santa Rosa, California. The survey included research of broker websites, identification of available sites through windshield surveys, discussions with area brokers and Santa Rosa City staff. The result of the survey revealed a limited number of available commercial properties in the Santa Rosa area.

The business owner was interviewed and reported that he did not have any preferred area in Santa Rosa where to relocate to. He is considering Santa Rosa as well as Windsor, therefore, the search efforts were concentrated in those areas. The table below shows a sample of sites currently available for lease. A Relocation Advisor will work with the business to help locate and secure a replacement site.

An extended search period may allow the Relocation Advisor, area brokers and business owner to identify additional sites as they become available. The Relocation Advisor will work closely with each business to make them aware of the specific assistance that is available to them through the Relocation Assistance Program. This may allow the business owner to consider other options for replacement sites.

<table>
<thead>
<tr>
<th>Address</th>
<th>Square Footage/Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1760 Piner Road, Santa Rosa</td>
<td>2,861 SF/$4,721/Mo.</td>
</tr>
<tr>
<td>65 Brookwood Avenue, Santa Rosa</td>
<td>1,331 SF/$2,312/Mo.</td>
</tr>
<tr>
<td>645 Sebastopol Road, Santa Rosa</td>
<td>4,400 SF/$8,800/Mo.</td>
</tr>
</tbody>
</table>
The Relocation Advisor will continue to search for sites that would accommodate the business and will continue to forward the information to the business owner for consideration. In addition, the business owner will be encouraged to meet with area brokers and to consider sites for lease as they become available.
Relocation Assistance Program

This portion of the Study summarizes the City of Santa Rosa's Relocation Assistance Program. This summary of benefits has been provided for general information purposes only and should not be interpreted as law.

**Governing Regulations.** This project is being funded by the City of Santa Rosa. Therefore, the City will administer the Relocation Assistance Program in compliance with the California Relocation Assistance Act of 1970, as amended (*California Government Code 7260*), and by the California Department of Housing and Community Development Guidelines promulgated thereto (*California Code of Regulations, Title 25, Chapter 6*). An explanation and application of these guidelines follows.

### Summary of the Residential Relocation Assistance Program

This Study uses various acronyms and jargon that may be unfamiliar to some readers. Therefore, the definitions of various terms and conditions have been presented in this section in order to provide the reader with a greater understanding of the Relocation Assistance Program available to the project occupants.

**Comparable Replacement Dwelling.** For the purposes of this project, a general definition of a comparable replacement dwelling is a dwelling that is of similar size and type to the acquired dwelling. A more specific definition would include:

- Decent, safe and sanitary as described below.
- Functionally equivalent to the displacement dwelling. The term “functionally equivalent” means that it performs the same function, provides the same utility, and is capable of contributing to a comparable style of living.
- In an area not subject to unreasonable adverse environmental conditions from either natural or human sources.
- Currently available to the project occupants.
- Within the financial means of the displaced person, either by their own means or through assistance from the City.

**Decent, Safe, and Sanitary (DS&S).** In order to meet decent, safe and sanitary requirements, a replacement site must meet the following criteria:

- Be structurally sound, weathertight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a safe heating system capable of sustaining a healthful temperature.
- Be adequate in size with respect to the number of rooms and area of living space
needed to accommodate the displaced person. The City has determined that this shall be interpreted to mean that no more than two persons shall occupy a bedroom and one in the living room at the replacement site.

- Contain unobstructed egress to safe, open space at ground level. If the dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- For a person who is mobility impaired, be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling by such person.

**Eligible Occupant.** Full Relocation Assistance benefits shall be available to all residential tenants who legally occupy a dwelling as their primary residence for 90 days prior to the date of the first written offer from the City to the property owner. Any owner occupant who occupies the dwelling as their primary residence for at least 180 days prior to the City's first written offer is an eligible occupant. Occupants who have resided in a residential unit as their primary residence for less than the required occupancy and who are displaced as a result of this project may be eligible to receive limited Relocation Assistance benefits in accordance with State Laws and Regulations.

The City has adopted the following Relocation Assistance Program in order to provide the project occupants with the benefits to which they are entitled under State of California Relocation Laws and Regulations.

**A. Relocation Advisory Assistance.** A Relocation Adviser will be assigned to work with each eligible project occupant. The Relocation Advisor shall provide ongoing advisory assistance to the occupant by assisting the occupant in locating and securing a replacement dwelling. In addition, the Relocation Advisor shall ensure that each eligible occupant receives the following:

1. Each eligible occupant will receive written documentation informing them of their rights and the availability of relocation assistance and benefits.
2. Each eligible occupant shall be interviewed by their Relocation Advisor in order to ascertain replacement needs. The Relocation Advisor shall request documentation concerning length of occupancy, occupant income and public assistance.
3. The Relocation Team will study the availability of replacement housing in the area and prepare a Housing Valuation Study. Consideration will be given to the condition of the dwellings and whether or not they compare favorably to the affected site. A determination will then be made as to the reasonable cost for each type of comparable replacement dwelling needed for the project. Each eligible residential occupant will then receive a Letter of Entitlement that will explain the specific relocation benefits to which they are entitled.
4. The development of this project shall be so scheduled that no person lawfully occupying a site that would be acquired by the City shall be required to move from their dwelling without a written 90-day notice from the City of the date by which such a move is required. The 90-Day Notice to Vacate will also include a list of referrals to available replacement sites in the area.
5. Each eligible occupant shall receive current and continuing information on the availability
of comparable replacement sites in the area.

6. Each eligible occupant shall be assigned a Relocation Advisor who shall act as a liaison with prospective landlords, realtors, commercial brokers and the City. The Relocation Advisor shall provide documentation to prospective landlords concerning residential rent differential payments and security deposits. In addition, the Relocation Advisor shall help each occupant complete relocation claims that will be submitted to the City. The Relocation Advisor shall also deliver relocation payments to the occupants or to their assignee.

Should an occupant have a grievance against the City in regards to relocation policies and procedures, the Relocation Advisor will provide the occupant with information concerning the City’s grievance procedures, as stated on page 23 of this Study.

7. The Relocation Advisor shall inspect each replacement site to ensure that the unit meets decent, safe and sanitary standards.

8. The Relocation Advisor shall provide any services required to insure that the relocation process does not result in different or separate treatment of occupants on account of race, color, religion, national origin, sex, marital status or other arbitrary circumstances.

9. The Relocation Advisor shall provide referrals to other local assistance programs to eligible persons in order to minimize their hardships. When needed, referrals to housing, finance, employment, training, health and welfare, and other assistance programs will be provided.

B. Moving Cost Assistance. Each eligible household is entitled to receive a moving payment from the City to move their personal property to their replacement home. Each household may elect one of the two options for cost reimbursement outlined below:

Moving Cost Allowance. A household may choose to move their own property to the replacement site. A claim will be submitted by the household based on the following Moving Cost Allowance Schedule. This allowance is in accordance with a schedule maintained by the Federal Highway Administration.

<table>
<thead>
<tr>
<th>Occupant Owns Furniture</th>
<th>Occupant does not own furniture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Rooms of Furniture</td>
<td>1 room/ no furn.</td>
</tr>
<tr>
<td>1 room</td>
<td>2 rooms</td>
</tr>
<tr>
<td>$625</td>
<td>$800</td>
</tr>
<tr>
<td>$400</td>
<td>$65</td>
</tr>
</tbody>
</table>

Professional Moving Assistance. The household may choose to have a professional moving company move their personal property from their home to their replacement site. The City will pay actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. The City will pay all reasonable costs to pack, move and unpack all personal property up to 50 miles from the displacement site. If an occupant chooses this option, a professional moving company will be paid directly by the City to perform the move.
C. Rent Differential Payments. A Rent Differential Payment is a payment made to a displaced residential tenant to assist with an increase in rent at the replacement site and to make the replacement housing affordable to the displaced tenant. The City will make all Rent Differential Payments either directly to a tenant or to the tenant’s designee. The purpose of a Rent Differential Payment is to allow a household to relocate to a comparable replacement dwelling without having to pay an increase in rent for 42 months and to make the unit affordable to the tenant. If the household provides adequate documentation, then the City will calculate the Rent Differential Payment based on income and on current rent. The household will be eligible to receive a payment based on whichever method proves to provide the greatest assistance.

Each tenant household will receive a Letter of Entitlement that describes all relocation benefits and the maximum Rent Differential Payment to which the household is entitled. The Letter will also explain the "spend to get" requirement. The "spend to get" requirement means that benefit payments will be made by the City only when the displacee demonstrates that entitlement amounts have been or will be spent. Rent Differential Payments must be used for reasonable and necessary expenses related to replacement housing.

If an occupant so chooses, they may use their Rent Differential Payment to purchase a replacement dwelling. If the occupant chooses this option and with the assistance of their Relocation Advisor, the funds will be used for a down payment and for non-recurring closing costs for a decent, safe and sanitary replacement dwelling. The City will deposit down payments directly into the escrow account to purchase the replacement site.

D. Purchase Differential Payment. A Purchase Differential Payment is a payment made to a displaced residential owner occupant to assist the household with the additional cost to purchase a comparable, decent, safe and sanitary replacement home in the area. The City will prepare a Housing Valuation Study to determine the market purchase price of a comparable, decent, safe and sanitary home which is functionally equivalent to the City-acquired dwelling. If the purchase price for the acquired property is less than the purchase price for a replacement site as determined by the Study, the difference will be the maximum Purchase Differential Payment available to the household. The actual amount of the Purchase Differential Payment is computed based on the amount actually paid for a replacement site, but will not exceed the maximum determined by the Housing Valuation Study. The City will deposit all Purchase Differential Payments directly into the escrow to purchase the replacement home.

Each owner-occupant household will receive a Letter of Entitlement that describes all relocation benefits and the maximum Purchase Differential Payment to which the household is entitled. The Letter will also explain Incidental Expense Payments, Interest Differential Payments, and the "spend to get" requirement. The "spend to get" requirement means that benefit payments will be made by the City only when the displacee demonstrates that entitlement amounts have been spent or will be spent. A Purchase Differential Payment must be used for reasonable and necessary expenses related to replacement housing.

The City has also adopted a Last Resort Housing Plan to address situations where a property owner will not benefit from the typical Purchase Differential Payment Program if comparable housing as determined under the Housing Valuation Study is lower than the property owner's equity in their home. This payment is explained in more detail under the Last Resort Housing Plan Section.

If an owner occupant so chooses, they may convert their Purchase Differential Payment to Rent Differential Payments. If a household chooses this option, they should discuss this matter
thoroughly with their Relocation Advisor prior to renting a replacement home.

E. **Incidental Cost Payment.** An owner occupant will be paid for non-recurring closing costs incurred in the purchase of a comparable decent, safe and sanitary replacement dwelling. These costs include such items as title insurance, points that are considered normal for the area, recording fees, escrow fees and notary fees. These costs are based on a purchase price not to exceed the most comparable replacement cost as determined by the Housing Valuation Study, and will be deposited directly into the escrow account.

F. **Interest Differential Payment.** This benefit amount is derived by means of a mathematical formula. It is the amount of money needed to reduce the interest rate on the new mortgage for the replacement site to a point where it equals the interest rate on the remaining principal of the mortgage on the displacement site over its remaining term.

**Last Resort Housing Plan.** Housing of Last Resort is a program that allows for the implementation of certain regulations if the Rent Differential Payment or the Purchase Differential Payment exceeds the standard limits as set by State Regulations. These regulations stipulate that any tenant occupant who is eligible to receive a Rent Differential Payment in excess of $5,250 or any tenant who pays in excess of 30% of their adjusted gross monthly income towards rent is to be considered for Housing of Last Resort. Likewise, any owner occupant who is eligible to receive a Purchase Differential Payment in excess of $22,500 is considered for Housing of Last Resort. If project occupants fall into this category, it will be necessary for the City to provide Last Resort Housing for the occupants. Several methods to provide Last Resort Housing to qualified households are available to the City:

1. **Provide supplemental funds in excess of the standard limit to allow occupants to replace their current unit with an affordable dwelling.** All payments are based on the most comparable replacement property as approved in the City’s Housing Valuation Studies. As with all other replacement housing payments, occupants must meet “spend to get” requirements in order to claim Last Resort Housing Payments. A Rent Differential Payment under Last Resort Housing shall be computed for a 42-month period.

2. **Build new replacement housing or rehabilitate existing units or provide funds for private parties to rehabilitate existing units for occupancy by displaced households.** Rents would be restricted to an amount per month not to exceed 30% of households’ gross monthly income, for a period of 42 months.

   Housing may also be rehabilitated for the owner-occupant households. The housing would then need to be sold to the households for a price not to exceed the price paid to acquire the project properties.

3. **Utilize Housing Authority Section 8 housing vouchers.** No tenant would be required to pay in excess of 30% of gross monthly household income toward rent. This option is only available to tenant occupants.

4. **Adopt Last Resort Housing Policies that respond specifically to the needs of the affected owner occupants and the current lending and housing markets.**

**Recommended Action.** The most flexible of the Last Resort options is for the City to pay Rent Differential Payments in excess of $5,250 and Purchase Differential Payments in excess
of $22,500 as needed. Section 8 vouchers are not currently available from local housing authorities. Since there are adequate replacement dwellings vacant and available, building replacement housing units and managing the property is not the City’s policy at this time. Nor is it possible for construction of new replacement units to be completed to meet the project schedule.

A study of the local housing market indicates that there will be an adequate supply of replacement dwellings available to accommodate the displaced households. Some of these units, however, would not be affordable to some of the households if the standard relocation payments were made.

On February 24, 2009 the City Council adopted Resolution Number 27307 approving a Last Resort Housing Plan for Phase 2 of the Stony Point Road Widening Project. This Last Resort Housing Plan will be utilized when the City determines that a property owner will not benefit from the City’s Relocation Assistance Program under the typical Purchase Differential Payment, if the comparable housing as determined under the Housing Valuation Study, is lower than the property owner’s equity in their home.

The approval of this resolution allows the City to offer a homeowner occupant an amount up to a twenty percent (20%) downpayment for replacement housing based on the most comparable value as determined by the approved Housing Valuation Study.

Summary of the Commercial Relocation Assistance Program

This portion of the Relocation Plan summarizes the City’s Relocation Assistance Program for the business occupant. This summary of benefits has been provided for general information purposes only and should not be interpreted as law.

The City will adhere to the following Relocation Assistance Program in order to provide the business occupant with the benefits to which he is entitled under State of California Relocation Assistance Law and Regulations. Full Relocation Assistance benefits shall be available to the project occupant who legally operates a business within the project area and who is required to relocate as a result of the project.

A. Relocation Advisory Assistance. A Relocation Advisor will be available to assist the business owner. The Relocation Advisor shall provide ongoing advisory assistance to the occupant by assisting in identifying replacement sites. In addition, the Relocation Advisor shall ensure that the business owner receives the following:

1. The business owner will receive written documentation describing his rights and the availability of relocation assistance and benefits.

2. A Relocation Advisor shall interview the business owner in order to ascertain replacement site needs. The Relocation Advisor shall request documentation concerning business ownership, current site use and existing lease agreements.

3. The development of this project shall be so scheduled that no person lawfully occupying property that is acquired by the City shall be required to move from their site without a written 90 days’ notice from the City of the date by which such a move is required.

4. The business owner shall receive current and continuing information on the availability of
replacement sites in the area.

5. The business owner shall be assigned a Relocation Advisor who shall act as a liaison with prospective lessors, commercial Brokers and the City. In addition, the Relocation Advisor shall help the business owner to complete relocation claims that will be submitted to the City. The Relocation Advisor shall also deliver payments to the business owner.

6. Should the business owner have a grievance against the City in regards to relocation policies and procedures, the Relocation Advisor will provide the occupant with information concerning the grievance procedures.

7. The Relocation Advisor shall provide any services required to insure that the relocation process does not result in different or separate treatment of occupants on account of race, color, religion, national origin, sex, marital status or other arbitrary circumstances.

**Moving Cost Payment.** Relocation payments to businesses consist entirely of the cost to move and reinstall personal property used in the operation of the business and costs related to the moving of the business. A business may elect one of two types of relocation moving benefits outlined below.

**Option 1: Reimbursement for Actual Moving Costs**

**Moving Expenses.** A business may claim payment based on moving bids as submitted by no less than two professional moving companies. The business may elect to have the mover with the lower bid move them, or the business may move itself and be reimbursed the amount of the lower of the two bids. The submitted bids will include the cost of dismantling, disconnecting, packing and crating all personal property, moving it to the replacement site, and unpacking, uncrating, reassembling and reconnecting the personal property at the replacement site. The City will reimburse the business for whatever reasonable costs are involved in recalibration and reinstallation of the businesses' machinery and equipment so that it is in the same functioning order as it was prior to the move. The moving bids shall also include transportation not to exceed 50 miles from the displacement site.

**Storage Costs.** If a business wishes to store the business personal property rather than move immediately into a replacement site, the City will pay up to twelve months of storage. Reimbursement will require documentation to support claims in the form of receipts, canceled checks or other written evidence. Claims in excess of $1,000 must be supported by reasonable competitive bids.

**Stationary Replacement.** The City will also reimburse a business for all actual and reasonable costs related to replacing stationery that is made obsolete as a result of the move and re-lettering trucks if necessary.

**Personal Property.** There are two options for compensation for personal property that will not be relocated to the replacement site.

**Payment for Loss of Tangible Personal Property.** This payment is allowed when a business is entitled to relocate personal property in whole or in part, but elects not to do so. This payment is based on the lesser of (1) the depreciated appraised value of the item in place minus any net proceeds from the sale of the item, or (2) cost of moving the
personal property.

**Payment for Substitute Personal Property.** When an item of personal property which is used in connection with the business is not moved but is replaced with a comparable item, reimbursement will be in an amount not to exceed the lesser of (1) the cost to replace the item minus any net proceeds received from the sale of the replaced item, or (2) the estimated cost of moving the item.

**Searching Cost Expenses.** A displaced business may claim actual, reasonable expenses related to the search for a replacement site for the business. Reimbursement for searching expenses may not exceed $1,000.

**Reestablishment Expenses.** A business may receive a payment for expenses incurred in reestablishing the business at a replacement site. Reimbursement for Reestablishment Expenses may not exceed $10,000. Claimed expenses may include, but are not limited to, repairs or improvements to the replacement site that are required by municipal code or ordinances, or that are required to render the site suitable for conducting business, impact fees or one-time assessments for anticipated heavy usage. Claims may also include costs related to the replacement of business signs, advertisement of the replacement location, one-time costs for permits or licenses required for operation at the new location, and increased operating costs at the replacement site for the first two years.

**Option 2: Fixed Moving Payment.**

If a business chooses not to receive reimbursement under the Actual and Reasonable Moving Payment, it may instead choose to receive a fixed Moving Payment. The Fixed Moving Payment is made to a business owner based on the business’ documented average net income for that site for the two years prior to displacement. The payment shall not be less than $1,000 or more than $20,000. If a business chooses to be paid under this option, the business must meet the following requirements:

A. The business must own or rent personal property that must be moved.

B. The business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings).

C. The business must not be part of a commercial enterprise having more than three other entities which are not affected by the project and which are under the same ownership and engaged in the same or similar business activities.

D. The business must not be operated at the acquired site solely for the purpose of renting the site to others.

E. The business must have contributed materially to the income of the displaced business owner during the two taxable years prior to displacement. A business must demonstrate that it contributed materially in the following manner:

1. Had average annual gross receipts of at least $5,000 in value during the two taxable years prior to displacement; or

2. Had average annual net earnings of at least $1,000 in value during the two taxable years prior to displacement; or
3. Contributed at least 33 1/3% to the average gross annual income of the business owner during the two taxable years prior to displacement including income from all sources.

If a Fixed Moving Payment is elected, no payment may be made under the Actual and Reasonable Moving Payment option. The business will also be responsible for the arrangements and tasks of the self-move from the existing site.

**Loss of Business Goodwill.** The affected business owner may be entitled to receive compensation for Loss of Business Goodwill that is directly caused by the City's Relocation activities. The City's Acquisition Agent or Relocation Advisor will provide the business owner with additional information regarding Loss of Business Goodwill.

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**Other Important Program Information**

**The Appeal and Grievance Process.** In the event an occupant believes he or she has been denied an eligible benefit, or disputes the amount of any payment, or has been discriminated against in any manner, the occupant will be afforded an opportunity to file an appeal or grievance with the City. An occupant should first contact his Relocation Advisor to see if the situation can be mutually resolved. If that remedy does not satisfy the occupant, the occupant can present his or her appeal to the City Manager who can decide on the City’s response to the appeal. If the appellant does not agree with the City Manager’s determination, the appellant can submit a request in writing for a hearing before the Relocation Appeals Board. Pursuant to Health and Safety Code Section 33417.5, the Relocation Appeals Board shall promptly hear all appeals brought by occupants of the Project area relating to eligibility, the amount of payment, the failure to provide comparable permanent or adequate temporary replacement housing or any other issue relating to relocation benefits and shall determine if the City has complied with the provisions of the Community Redevelopment Law (Health and Safety Code Section 33000, et. seq.). The Board shall transmit its findings and recommendations to the City. The City will promptly issue a final written decision based on the findings and recommendations of the Relocation Appeals Board. If an occupant chooses to file an appeal, their Relocation Advisor can provide additional information on the appeals process in writing. All appeals must be filed within 18 months of the date that the occupant vacates the acquired site.

**Claim Processing and Distribution of Payments.** All claims are to be filed through a Relocation Advisor in accordance with state laws and regulations. The Advisor will assist the business owner in completing their claim forms and will notify the business owner of the documentation needed. Each claim will be submitted along with documentation to the City for review and processing. Checks will be available for approved claims within three weeks of the date all documentation is submitted to the Relocation Advisor. Checks will be delivered to the occupant or to the occupant’s designee. The City shall provide advance payments when necessary whenever a later payment would result in financial hardship.
Appendix

Example of General Information Notices
Residential Relocation Handbook
Business Relocation Handbook
City's Last Resort Housing Plan
March 4, 2009

Stony Point Road  
Santa Rosa, CA 95407

INITIAL CONTACT LETTER AND GENERAL INFORMATION NOTICE FOR OWNER OCCUPANTS

STONY POINT ROAD WIDENING PROJECT.
Affected Property:  Stony Point Rd
APN:

Dear Mr. and Mrs.,

The City of Santa Rosa ("City") is moving forward with its plan to widen Stony Point Road from Sebastopol Road to Hearn Avenue. The preliminary design is complete and we are beginning the right-of-way acquisition process. The City anticipates making an offer to purchase the property you own and occupy located at Stony Point Road in Santa Rosa, California no sooner than July 2009. If you are interested in selling your property to the City prior to July, please contact me so that we can begin those discussions.

The purpose of this notice is to invite you to meet with your Relocation Advisor who can answer questions you may have related to the project, the project schedule, and your rights to receive benefits. This notice is also provided in order to inform you of your rights under State law and to introduce you to your Relocation Advisor. Your Relocation Advisor will also gather general information from you and others who may be affected by the project in order to prepare a Relocation Impact Study and Last Resort Housing Plan that will address the needs of the project occupants and the assistance that will be available if the project proceeds.

If the City is able to acquire the property, and you are required to move as a result, you would then be eligible to receive various relocation payments and assistance in finding a new place to live. Mr. Geoff Hornsby has been retained as the consultant who will be negotiating for the purchase of your property. Associated Right of Way Services, Inc. has been retained by the City to help plan for the project and to provide you with Relocation Assistance.

As a homeowner occupant, you may be eligible to receive relocation advisory services and payments in accordance with California Relocation Assistance Law (Government Code §7280, et seq.) and corresponding regulations found in the California Code of Regulations, Title 25, Chapter 6. A brief explanation of these laws and your rights are found in the Relocation Assistance Brochure. A copy of that brochure will be given to you when you meet with your Relocation Advisor.
March 4, 2009
Page 2 of 3

It is important that you understand that this notice does not require you to move at this time. This is not a notice to vacate the premises. Please contact your Relocation Advisor before you make any moving plans. If you move prior to receiving an offer and a Notice of Eligibility from the City, you will not be eligible to receive relocation benefits.

If the City is able to acquire the property, you will be given advisory services including referrals to replacement sites and advance written notice of the date you would be required to move. The following information relates to general relocation services and payments. Additional information is provided in the Relocation Assistance Brochure that your Relocation Advisor will deliver to you when you meet.

**Relocation Advisory Assistance:** A Relocation Advisor will be available to help you through the relocation process. Your Relocation Advisor will provide you with information concerning entitlements, project scheduling, available housing, and claim processing.

**Moving Expenses:** If you are required to move as a result of this project, you would be eligible to receive reimbursement for certain Moving Expenses.

**Replacement Housing Costs:** You may be eligible to receive assistance with the cost to replace your home with a comparable home. This could include replacement housing payments, increased interest cost payment, and some of the costs incidental to the purchase of your replacement home. To qualify for these payments, you must have owned and occupied your home as your primary residence for at least 180 days immediately prior to the date the City makes its first written offer to purchase your property.

You may receive relocation assistance payments only if you purchase or rent and occupy a dwelling which meets the City's standards of decent, safe and sanitary. A home inspection will need to be performed by a professional home inspector and your Relocation Advisor will need to inspect the replacement home you choose before you agree to rent or buy it.

In order to qualify for replacement housing payments, you will need to purchase and occupy a decent, safe and sanitary replacement home within one year of receiving final payment for the property or within one year of the date you move from the property—whichever occurrence is later.

**Timing of Payments:** No relocation payment can be made until the City has presented you with a written offer to purchase your property.

**Your Right to Appeal:** You may appeal if you believe that the City has failed to properly determine your eligibility or the amount of payment authorized by the Relocation Regulations. You have the right to be represented by legal counsel, but this is not required. If you still believe a proper determination has not been made, you may seek judicial review.
March 4, 2009
Page 3 of 3

All services and/or benefits to be derived from any right of way activity will be administered without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act.

Please contact your Relocation Advisor, Mr. Joe Magdaleno, to arrange a time to meet in your home to discuss the project and the Relocation Assistance Program. He is available to meet with you at a time that is convenient for you. The meeting should take no longer than 30 minutes.

Mr. Joe Magdaleno, Relocation Advisor
Associated Right of Way Services, Inc.
2300 Contra Costa Boulevard, Suite #525
Pleasant Hill, CA 94523
(800) 555-5161 toll-free • (925) 691-8505 fax
lmagdaleno@arws.com

Thank you for working with the City to help to plan for this important project. Should you have additional questions or if I can be of additional service please contact me, the Project Manager by phone at 543-3854 or email at lurbanek@srcity.org.

Sincerely,

LORI URBANEK
Assistant Engineer

cc: Joe Magdaleno

[Certification of Delivery]

☐ This Notice was sent via first class and certified mail on

☐ This Notice was personally delivered on

Signature: [Signature]

Date: 3/4/09
March 5, 2009

Stony Point Road
Santa Rosa, CA 95407

INITIAL CONTACT LETTER AND GENERAL INFORMATION NOTICE FOR RESIDENTIAL TENANT OCCUПANT

STONY POINT ROAD WIDENING PROJECT
Affected Property: Stony Point Road, Santa Rosa
APN:

Dear Ms.

The City of Santa Rosa (“City”) is moving forward with its plan to widen Stony Point Road from Sebastopol Road to Hear Avenue. The preliminary design is complete and we are beginning the right-of-way acquisition process. The City anticipates making an offer to purchase the property you occupy located at Stony Point Road in Santa Rosa, California no sooner then July 2009.

The purpose of this notice is to invite you to meet with your Relocation Advisor who can answer questions you may have related to the project, the project schedule, and your rights to receive benefits. This notice is also provided in order to inform you of your rights under State law and to introduce you to your Relocation Advisor. Your Relocation Advisor will also gather general information from you and others who may be affected by the project in order to prepare a Relocation Impact Study and Last Resort Housing Plan (“Plan”). The Plan will address the needs of the project occupants and the assistance that will be available if the project proceeds.

If the City is able to acquire the property, and you are required to move as a result, you would then be eligible to receive various relocation payments and assistance in finding a new place to live. Associated Right of Way Services, Inc. has been retained by the City to help plan for the project and to provide you with Relocation Assistance.

Displaced households may be eligible for relocation advisory services and payments in accordance with California Relocation Assistance Law (Government Code §7280, et seq.) and corresponding regulations found in the California Code of Regulations, Title 25, Chapter 6. A brief explanation of these laws and your rights are found in the Relocation Assistance Brochure. A copy of that brochure will be given to you when you meet with your Relocation Advisor.
March 5, 2009  
Page 2 of 3

It is important that you understand that this notice does not require you to move at this time. This is not a notice to vacate the premises. It is important that you continue to honor the terms of your rental agreement. Please contact us before you make any moving plans. If you move prior to the City making an offer to purchase the property and before you receive a Notice of Eligibility from the City, you will not be eligible to receive relocation benefits.

If the City acquires the property, you will be given advisory services, including referrals to replacement sites and advance written notice of the date you would be required to move. The following is information relates to general relocation services and payments.

**Relocation Advisory Assistance:** A Relocation Advisor will be available to help you through the relocation process. Your Relocation Advisor will provide you with information concerning your entitlements, project scheduling, available housing, and claim processing.

**Moving Expenses:** If you are required to move as a result of this project, you would be eligible to receive reimbursement for certain moving expenses.

**Replacement Housing Costs:** You may be eligible to receive assistance with increased rental cost payments or a payment toward the purchase of a home. To qualify for this, you would need to have occupied your current home for at least 90 days immediately before the City makes its first written offer to purchase that property.

You may receive relocation assistance payments only if you purchase or rent and occupy a dwelling which meets the City’s standards for decent, safe and sanitary. Your Relocation Advisor will need to inspect your replacement home before you agree to rent or buy it.

In order to receive a Replacement Housing Payment, you must occupy a decent, safe and sanitary home within one year after vacating the property where you now live. If you are lawfully occupying the property where you now live, the City will not ask you to move without first giving you a minimum of 90 days advance notice, in writing. If you are an eligible occupant, you will not be required to move unless adequate decent, safe and sanitary replacement housing, which is open to all person regardless of race, color, religion, sex, or national origin, has been made available to you by the City or you have secured such housing for yourself.

**Timing of Payments:** No relocation payment can be made until the City has made a written offer to purchase the property where you now live. You will be notified within 60 days of the date that the City makes a written offer to the property owner.

**Your Right to Appeal:** You may appeal if you believe the City has failed to properly determine your eligibility or the amount of payment authorized by the Relocation Regulations. You have the right to be represented by legal counsel, but this is not required. If you still believe a proper determination has not been made, you may seek judicial review.
March 5, 2009
Page 3 of 3

All services and/or benefits to be derived from any right of way activity will be administered without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act.

Please contact your Relocation Advisor, Ms. Marie Idlart of AR/WS, to arrange a time to meet with her in your home to discuss the project and the Relocation Assistance Program. She is available to meet with you at a time that is convenient for you. A Relocation Handbook is also enclosed to provide you with additional information regarding the Program.

Ms. Marie Idlart, Relocation Advisor
Associated Right of Way Services, Inc.
2300 Contra Costa Boulevard, Suite #225
Pleasant Hill, CA 94523
(800) 588-5161 toll-free • (925) 691-6505 fax
midlart@arwa.com

Thank you for working with the City to help to plan for this important project. Should you have additional questions or if I can be of additional service please contact me, the Project Manager by phone at 543-3854 or email at lurbanek@srollv.org.

Sincerely,

LORI URBANEK
Assistant Engineer

Enclosure

cc: Marie Idlart, AR/WS

Certification of Delivery

☐ This Notice was sent via first class and certified mail on 3/6/09.
☐ This Notice was personally delivered on _________________.
Signature: ____________________ Date: 3/6/09

Joyce Baker
CITY OF SANTA ROSA
PUBLIC WORKS DEPARTMENT
69 STONY CIRCLE
SANTA ROSA, CA 95401
TELEPHONE: (707) 543-3854

Informational Brochure
Residential Relocation Assistance Program

Prepared by
Associated Right of Way Services, Inc.
2300 Contra Costa Blvd., Suite 525
Pleasant Hill, CA 94523
(925) 691-8500
(925) 691-6505 Fax

This is an informational pamphlet only. It is not intended to give a complete statement of all State or Federal laws and regulations pertaining to the relocation assistance program, technical legal definitions, or any form of legal advice.
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I. INTRODUCTION

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, "The Uniform Act" (49 CFR Part 24) is intended to provide uniform and equitable treatment of persons required to move as a result of a public project. California has adopted its own regulations in accordance with the California Uniform Relocation Assistance and Real Property Acquisition Policies Act, Government Code; Section 7260, et seq. as amended and effective January 1, 1990.

Applicable regulations depend upon the funding source. This brochure is intended to provide general information only based on the requirements of the Uniform Act.

This Is Not A Notice To Move

You will be given ample time and assistance in finding new housing; however, should you decide to move, please do not do so without notifying the City of Santa Rosa ("City") as you may risk losing your eligibility for a relocation payment. If the City acquires the property, you will be notified in advance as to the date when your present home must be vacated, and you will be given adequate time (at least ninety (90) days) and assistance with finding another place to live. To obtain assistance with finding a replacement dwelling, contact your relocation advisor. The telephone number for your relocation advisor is (925) 691-8500 or (800) 568-5151.

II. RELOCATION SERVICES AND ADVISORY ASSISTANCE

The City through its representative, usually a relocation advisor, will assist you in finding other housing which is decent, safe and sanitary, and is within your ability to pay or rent. Assistance can take the form of explanation of the program, determining entitlements, delivery of forms, help in completing the forms and answering questions. A relocation advisor will be available to personally make contact with you and to discuss your individual circumstances. Services can involve contact with private and governmental rental and sales housing for occupancy on a non-discriminatory basis. The relocation advisor will provide you with all available information in order to provide a fair and orderly relocation.

III. DEFINITION OF DECENT, SAFE, AND SANITARY (DS&S)

Certain standards to evaluate the quality of housing where you will move have been established, and any referrals for housing given to you must meet these standards. These standards are referred to as Decent, Safe, and Sanitary, which means it meets all of the minimum requirements established by federal and State regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight, and in good repair.
- Contain a safe electrical wiring system adequate for lighting and other devices.
- Contain a heating system capable of sustaining healthful temperature (at least 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s).
- Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.
- Contain unobstructed egress to safe, open space at ground level.
- Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling by such displaced person.
Any housing which you may find yourself must also meet the above criteria. Please request that the relocation advisor make an inspection prior to moving. It is necessary that you move to standard housing in order to obtain the rental differential payment or payment for owners.

IV. MOVING EXPENSES

If you qualify as a displaced person, you are entitled to reimbursement of moving costs and certain related expenses incurred in moving. Displaced individuals and families may choose to be paid on the basis of: 1) Actual Reasonable Moving and Related Expenses OR 2) Fixed Moving Cost Schedule.

1. Actual Reasonable Moving Costs and Related Expenses

If you choose a payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable costs for:

a. Transportation of persons and property not to exceed a distance of fifty (50) miles from the site from which displaced, except where relocation beyond such distance of fifty (50) miles is justified.

b. Packing, crating, unpacking and uncrating personal property.

c. The cost of disconnecting, dismantling, removing, reassembling, reconnecting and reinstalling personal property including connection charges imposed by public utilities for starting utility service (e.g., telephone and cable TV).

d. Such storage of personal property, for a period generally not to exceed twelve (12) months, as determined by the City to be necessary in connection with relocation.

e. Insurance for the replacement value of personal property during the move and necessary storage.

f. The replacement value of property lost, stolen, or damaged in the move) but not through your neglect) if insurance is not reasonably available.

The City or the Relocation Advisor will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for any costs that you incur, so please keep all your receipts. Select your mover with care. The City can help you select a reliable and reputable mover.

A claim for moving expenses should be submitted to the City as soon as possible after the move, but in no case later than eighteen (18) months from the date of the move. Your relocation advisor will provide you with these forms and help you fill out your claim.

You may elect to pay your moving costs yourself and be repaid by the City or, if you prefer, you may have the City pay the mover. In either case, let the City know before you move.

2. Fixed Moving Cost Schedule

You may choose to be paid on the basis of a fixed moving cost schedule. The amount of the payment is based on the number of rooms in your dwelling. Your relocation advisor will be able to tell you the exact amount you will be eligible to receive if you select this option. The schedule is designed to include all of the expenses such as temporary storage, transportation of personal property, and utility hook ups.

For a complete explanation of all moving cost options, please discuss the matter with your relocation advisor.
V. REPLACEMENT HOUSING PAYMENT FOR TENANTS AND CERTAIN OTHERS

If you qualify as a 90-day occupant (either as an owner or a tenant) you may be eligible for a Replacement Housing Payment in the form of a Rent Differential. You may be eligible for a Replacement Housing Payment up to $5,250 to assist you in buying or renting decent, safe, and sanitary housing. This payment is based on any increased rent you might have to pay to obtain a similar dwelling.

To be eligible for this Replacement Housing Payment:

- You must have lived in the unit ninety (90) days before the City commenced negotiations with the owner for the purchase of the property;
- You must rent and occupy a decent, safe, and sanitary replacement dwelling within 18 months from the date of vacation from the replacement property or one (1) year if you purchase and occupy a decent, safe, and sanitary replacement dwelling;
- You are residing in a decent, safe, and sanitary private dwelling when the payment is made;
- Your claim for payment is submitted within eighteen (18) months of the date you move.

Owner-occupants who decide to rent may also be eligible for rent differential payments.

If you decide to purchase a home when you move, the Replacement Housing Payment can be used as a down payment on your new dwelling.

Note: See Last Resort Housing

VI. REPLACEMENT HOUSING PAYMENT FOR HOME OWNERS

If you are a owner and have occupied your home for a 180-day period or more prior to commencement of negotiation for your property you may be eligible for a Replacement Housing Payment for up to $22,500. The amount of entitlement is calculated by the City. This is a separate and additional payment over the amount you receive from the City for your property. The Replacement Housing Payment is also a separate amount from your moving expense payment. It is intended to help you purchase a replacement dwelling.

This payment can include the following:

- Price Differential- is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment is in addition to the acquisition price. This payment is the difference between the payment for the acquired dwelling and the reasonable cost of an available comparable replacement dwelling.
- Mortgage Differential- you may be reimbursed for any increased mortgage interest costs in financing your new home. This is called an interest differential payment and is based on your existing mortgage amount.
- Incidental Expenses- you may be entitled to receive compensation for incidental costs such as transfer taxes, title search costs, notary fees, credit report, appraisal report, and other expenses incurred in purchasing a new dwelling. You will not be reimbursed for any recurring costs such as prepaid taxes and property insurance.
To be eligible for this Replacement Housing Payment:

- You must have been the owner-occupant of a residence for not less than one hundred eighty (180) days prior to the initiation of negotiations for the acquisition of your property.
- You must purchase and occupy a replacement dwelling which meets relocation housing standards within one (1) year following displacement.
- The acquisition payment paid by the City for your house is less than the price for available comparable houses in the locality, and adequate in size to accommodate your family.
- You must spend at least as much as the replacement price determined by the City.
- You must submit a claim for the Replacement Housing Payment within eighteen (18) months of the date you move from your house.

Further details concerning relocation payments can be obtained from the relocation advisor. The relocation advisor will advise you of your eligibility and amounts.

VII. LAST RESORT HOUSING

In some instances, the basic relocation program, as established by the appropriate State or Federal regulatory agency, does not provide sufficient benefits to adequately rehouse a household. The City may adopt a program to assist those households so as to provide comparable housing. The extent to which the program would apply is undetermined; however, the family gross income and assets would be one criteria for eligibility. You will be informed if this process applies to you.

VIII. APPEALS AND OTHER RIGHTS

Any person who has been refused a relocation payment or who disagrees with the amount of their relocation payment has the right to appeal. Information about the appeal procedure is available from your relocation advisor. Your relocation advisor will also help you to file an appeal.

You must file an appeal within eighteen (18) months of the time you vacate the dwelling.

In addition to your right to an appeal, Title VIII of the Civil Right Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of residential units illegal if it is based on race, color, religion, sex, or national origin. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) sets forth the policy of the United States, within constitutional limits to ensure that all services and/or benefits will be administered without regard to race, color, national origin, or sex.

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 (Title 26, U.S. Code) or Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code.
IX. SUMMARY

Relocation assistance benefits vary. Benefits are determined based on factors such as individual or family needs, acquisition costs, income status, family size, unit size and type and availability of replacement spaces or units. You are not required to report relocation payments as part of your gross income for Federal or State tax purposes.

Your relocation advisor is always available to help you. Please feel free to call whenever you have any questions. You will receive written information and your benefits will be explained to you. If you do locate a new home on your own, please notify the City or its relocation representative as soon as possible before you move.

X. IMPORTANT TO KNOW!

- The City will advise you of your eligibility and the amounts you are eligible to receive.
- Displaced Owners: You must occupy your replacement dwelling no later than one (1) year after the later of the following two dates:
  - Date the City owns your property;
  - Date you move from the residence.
- Displaced Tenants: You must occupy your replacement dwelling no later than 18 months following the date you move from the residence.
- To receive payment you must submit a claim form which your relocation advisor will give you. Submit these forms no later than eighteen (18) months after the later of the two above dates.
- Your new dwelling must be inspected by a representative of the City before the City can make any payments other than for moving costs. Make sure that a DS&S housing inspection is made before you are obligated to buy or rent your replacement housing property.
- These benefits are separately calculated from any purchase payments; however, the purchase price can affect the final payment.

Last Update: 6/15/06
CITY OF SANTA ROSA
PUBLIC WORKS DEPARTMENT
69 STONY CIRCLE
SANTA ROSA, CA 95401
TELEPHONE: (707) 543-3854

Informational Brochure
Business Relocation Assistance Program

Prepared by
Associated Right of Way Services, Inc.
2300 Contra Costa Blvd., Suite 525
Pleasant Hill, CA 94523
(925) 691-8500
(925) 691-6505 Fax

This is an informational pamphlet only. It is not intended to give a complete statement of all State or Federal laws and regulations pertaining to the relocation assistance program, technical legal definitions, or any form of legal advice.
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Introduction

Government programs designed to benefit the public as a whole often result in the acquisition of private property, and sometimes in the displacement of people from their residences, businesses, non-profit organizations, or farms. When Congress passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and amended it in 1987 it recognized the need to balance the right of a public agency to acquire property with the rights of the occupants of the property being affected. The State of California adopted similar laws and regulations that provide for the rights of persons affected by public and publicly assisted projects. The Government Code of the State of California §7260, et seq. and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1 outline a public agencies rights and responsibilities to acquire property and to provide Relocation Assistance. This brochure is an attempt to provide you with a summary of those laws and regulations. Certainly, the information provided in this brief brochure cannot provide you with answers to all of the specific questions and situations that might arise in the relocation of your business. Please work with your Relocation Advisor in order to understand how the Relocation Assistance Program relates to your specific relocation.

Please review this brochure carefully and present any questions to your Relocation Advisor. Section 1 of this brochure provides information about Relocation Advisory Assistance. Section 2 contains information for payments that are available to displaced businesses. Section 3 provides additional information that is important to understand regarding the Relocation Assistance Program. Section 4 provides information regarding loss of business goodwill.

If you are required to move as a result of a publicly assisted program or project, a Relocation Advisor will contact you and will provide you with assistance. Your Relocation Advisor will answer your specific questions and will provide additional information that you may need to help you to understand the Relocation Assistance Program.
Important Terms Used in This Brochure

Agency

Relocation Advisory Assistance and Relocation Payments are administered by a public agency responsible for the acquisition of real property and/or the displacement of persons from property to be used for a publicly funded program or project. The public agency may be a State agency, a local agency, such as a county or a city, or a person carrying out a program or project with public financial assistance. A public agency may contract with a qualified individual or firm like Associated Right of Way Services, Inc. to administer the Relocation Assistance Program. However, the public agency remains responsible for the program.

Displaced Person

Any person who moves from real property, or who moves personal property from real property as a direct result of:

(1) a written notice of intent to acquire by a public agency or as a result of the acquisition of real property in whole or in part, by a public agency or by any person having an agreement with or acting on behalf of a public agency, or as the result of a written order from a public agency to vacate the property for public use; or

(2) rehabilitation, demolition or other displacing activity undertaken by a public agency or by any person having an agreement with or acting on behalf of a public agency of real property on which the person is in lawful occupancy or conducts a business, and the displacement, lasts longer than 90 days. This definition includes those persons displaced as a result of a public action where they are displaced as a result of an owner participation agreement or an acquisition carried out by a private person for or in connection with a public use where the public agency is otherwise empowered to acquire the property to carry out the public use.

Business

Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease, and rental of personal or real property; or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, an outdoor advertising display or displays, when the display(s) must be moved as a result of the project. In order to qualify as an eligible business occupant, the business must not be in unlawful occupancy.

Farm Operation

Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such
products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Non-profit Organization

A public or private entity that has established its non-profit status under applicable Federal or State law.

Program or Project

An activity or series of activities undertaken by a public agency, or an activity undertaken by a public agency with public financial assistance in any phase of the activity.

Small Business

A business having not more than 500 employees working at a site of economic activity being acquired or displaced by a program or project. A site occupied solely by outdoor advertising signs, displays, or devices does not qualify as a small business for purposes of the reestablishment expense benefit.

Outdoor Advertising Businesses

A displaced person who conducts a lawful activity primarily for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of outdoor advertising displays is entitled to payment for the lesser of (1) the reasonable cost of moving such displays, or (2) the in-place value of the displays.

Unlawful Occupancy

A non-residential occupant is considered to be in unlawful occupancy if the non-residential occupant has been ordered to move by a court of competent jurisdiction or if the occupant's tenancy has been lawfully terminated by the owner for cause, the tenant has vacated the premises, and the termination was not undertaken for the purpose of evading relocation assistance obligations.
Section 1 – Relocation Advisory Assistance

A Relocation Advisor will work with each eligible displaced business in order to guide them through the Relocation process and to help them to locate a suitable replacement property. Relocation services are provided by Associated Right of Way Services, Inc. It is their goal and desire to be of service to you, and to assist you in any way possible to help you successfully relocate. Your Relocation Advisor is available to help and to advise you, so please make full use of their services. Do not hesitate to ask questions to ensure that you fully understand all your rights and benefits.

An individual with a disability will be provided the assistance needed to understand their rights under this program and assistance to locate and to move to a replacement site. Please notify your Relocation Advisor if you need any additional assistance to understand your rights or to secure a replacement site.

When your Relocation Advisor initially contacts you, they will interview you in order to explain the Relocation Program and to understand your current operation, facility and operating costs. Your Relocation Advisor will also ask you to describe the type of replacement site you are interested in finding. Your Relocation Advisor will explain the assistance and payments that you may claim in accordance with your eligibility. It is important that you explain any anticipated relocation problems to your Relocation Advisor. During the initial interview the Relocation Advisor will ask many questions to determine your specific relocation needs. After the initial interview, your Relocation Advisor will deliver written information regarding your rights as a displaced person and will forward information on available replacement sites as that information becomes available.

Your Relocation Advisor will continue to work with you to help you to plan your relocation to a replacement site. Your Relocation Advisor will help you to understand which costs are compensable under the Relocation Assistance Program and which costs are not. Your Relocation Advisor will also help to determine the need for outside specialists to plan for the move and the reinstallation of your personal property.

A representative of the public agency will work with you, an appraiser, and the owner of the real property (if you are a tenant) to help to identify and to resolve any issues regarding what is real estate and what is personal property to be relocated. You will be asked to provide a copy of your lease agreement (if applicable) to help to determine the ownership of the furniture, fixtures and equipment.

The goal is to achieve a successful relocation back into the community. Therefore, it is important that you do everything a prudent business owner would do to maintain the business. This includes working closely with your Relocation Advisor to evaluate and prepare for the move and searching out leads to available replacement sites.

Your Relocation Advisor is also available to provide information to possible sources of funding and assistance from other local, State, and Federal agencies. If you have special problems, the Relocation Advisor will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. Make your needs known in order to receive the help you need.
Section 2 – Available Relocation Payments

An eligible business may request reimbursement on the basis of actual, reasonable moving costs and related expenses or, under certain circumstances, a fixed payment. Actual, reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself. Related expenses, such as personal property losses, expenses in finding a replacement site, and reestablishment expenses may also be reimbursable.

You must provide your Relocation Advisor with an inventory of the personal property to be moved and advance notice of the approximate date of the move. Your Relocation Advisor will need to inspect the personal property at the displacement and replacement sites, and to monitor the move in order to assess your eligibility for certain moving payments.

Actual, Reasonable, and Necessary Moving Costs

You may be paid the actual, reasonable and necessary cost of your move when the move is performed by a professional mover or when you elect to move yourself, however, all your moving costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs of your personal property, certain other expenses may be reimbursable, such as packing, crating, unpacking and crating, and the disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property.

Other expenses such as professional services necessary for planning and carrying out the move, temporary storage costs, and the cost of licenses, permits and certifications may also be reimbursable.

- Transportation of persons and property not to exceed a distance of 50 miles from the site from which the business was displaced, except where relocation beyond 50 miles is justified;
- Packing, crating, unpacking and crating personal property;
- Storage of personal property for a period generally not to exceed 12 months, as determined by the public agency to be necessary in connection with relocation;
- Insurance of personal property while in storage or transit; and
- The reasonable replacement value of property lost, stolen or damaged (not through the fault or negligence of the displaced person, his agent or employee) in the process of moving, where insurance covering such loss theft or damage is not reasonable available.
- The cost of disconnecting, dismantling, removing, reassembling, reconnecting and reinstalling machinery, equipment or other personal property (including goods and inventory kept for sale) not acquired by the public agency, including connection charged imposed by public utilities for starting utility service.
- The cost of modifying the machinery, equipment or other personal property to adapt it to the replacement location or to utilities available at the replacement location or modifying the power supply. These costs must be directly related to modifications of personal property.

- The cost of any license, permit or certification that is required to the extent such cost is necessary to the reestablishment of the operation at a new location.

- The reasonable cost of any professional service (including, but not limited to, architects', attorneys' or engineers' fees, or consultants' charges) necessary for the planning of the move of personal property, moving the personal property, or installation of relocated personal property at the replacement site.

All costs claimed under this section must be reasonable and necessary. The costs will only be considered if the costs could not have been avoided or substantially reduced at an alternate available site.

This is not an inclusive list of moving related expenses. Your Relocation Advisor will provide you with a complete explanation of reimbursable expenses.

**Estimated Cost Move**

If you agree to take full responsibility for all or part of the move of your operation, the public agency may approve a payment not to exceed the lower of two acceptable bids or estimates obtained from qualified moving firms, or moving consultants. A low cost or uncomplicated move may be based on a single bid or estimate at the public agency's discretion. The advantage of this moving option is that it relieves you from documenting all moving expenses because the payment is limited to the amount of the lowest acceptable bid or estimate. The public agency may make the payment without additional documentation.

**Direct Loss of Tangible Personal Property**

Displaced businesses may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment is based on the lesser of (1) the value of the item for continued use at the displacement site less the proceeds from its sale, or (2) the estimated reasonable cost of moving the item. Your Relocation Advisor will explain this procedure in detail if this is a consideration for you.

**Substitute Personal Property**

Where an item of personal property which is used in connection with any business is not moved but is replaced with a comparable item, the business may request reimbursement in an amount not to exceed the lesser of (1) the replacement cost, minus any net proceeds from its sale, or (2) the estimated cost of moving the original item.
Low Value High Bulk Property

If the public agency considers a personal property item to be of low value and high bulk, and moving costs are disproportionate to its value (such as minerals, metals, rock, or topsoil), the allowable moving cost payment shall not exceed the lesser of the amount which would be received if the personal property were sold at the site, or, the replacement cost of a comparable quantity delivered to the new business location.

Searching Expenses for Replacement Property

Displaced businesses are entitled to reimbursement for actual, reasonable expenses incurred in searching for a replacement property, not to exceed $1,000. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; and other expenses determined to be reasonable and necessary by the public agency.

Fees paid to real estate agents or brokers to locate a replacement site may be reimbursed, exclusive of any commissions or fees related to the purchase of the site.

Advance Payments

An eligible displaced business may be paid for anticipated moving expenses in advance of the actual move whenever later payment would result in financial hardship. Please discuss this option with your Relocation Advisor.
Actual Reestablishment Expenses

A small business may be eligible for a payment, not to exceed $10,000, for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site. To qualify, the business must have not more than 500 employees working at the site who will be displaced by a program or project.

Reestablishment expenses may include, but are not limited to:

- Repairs or improvements to the replacement real property required by Federal, State, and local laws, codes or ordinances.
- Modifications to the replacement real property to accommodate the business operation or to make the replacement structures suitable for the operation.
- Construction and installation costs of exterior signs to advertise the business.
- Provision of utilities from the right of way to improvements on the replacement site.
- Redecoration or replacement of soiled or worn surfaces at the replacement site such as painting, wallpapering, paneling, or carpeting.
- Licenses, fees and permits when not paid as part of moving expenses.
- Feasibility surveys, soil testing and marketing studies.
- Advertising the replacement location.
- Professional services in connection with the purchase or lease of a replacement site.
- Estimated increased costs of operation at the replacement site during the first two years for items such as: lease or rental charges; personal or real property taxes; insurance premiums; utility charges (excluding impact fees).
- Impact fees or one-time assessments for anticipated heavy usage.
- Other items that the public agency considers essential for reestablishment.

The following is a nonexclusive listing of reestablishment expenditures not considered to be reasonable and necessary, or otherwise eligible:

- Purchase of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures.
- Purchase of manufacturing materials, production supplies, production inventory, or other items used in the normal course of the business operation.
- Interior or exterior refurbishments at the replacement site which are for aesthetic purposes.
- Interest on money borrowed to make the move or purchase the replacement property.
- Payment to a part-time business in the home which does not contribute materially to the household income.
Fixed Payment for Actual Moving Expenses ("In Lieu Payment")

Displaced businesses may be eligible for a fixed payment in lieu of (in place of) actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than $1,000 nor more than $20,000.

For a business to be eligible for a fixed payment, the public agency must determine the following:

- Business owns or rents personal property that must be moved due to the displacement.
- Business cannot be relocated without a substantial loss of its existing patronage.
- Business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity which are under the same ownership and are not being displaced by the public agency.
- Business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Eligibility requirements for non-profit organizations are slightly different than business requirements. The computation for non-profit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two year period specified. If you are interested in a fixed payment, please consult your Relocation Advisor for additional information.

Computation of the Fixed Payment

The fixed payment for a displaced business is based upon the average annual net earnings of the operation for the two taxable years immediately preceding the taxable year in which it was displaced, or a two-year period deemed more representative by the public agency. You must provide the public agency with proof of net earnings to support your claim. Proof of net earnings can be documented by income tax returns, certified financial statements, or other reasonable evidence acceptable to the public agency.

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<tr>
<th>Example of a Fixed Moving Payment Computation</th>
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<td>Annual Net Earnings</td>
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<td>Average Annual Net Earnings</td>
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<td>Fixed Payment</td>
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Section 3 – Important Information Regarding Relocation Assistance

**Filing of Claims for Payment**

All claims filed with the public agency shall be submitted within 18 months of the later of (1) the date on which the claimant receives final payment for the property or, (2) the date on which the property is vacated. Most claims will be paid within three weeks of submission of a fully documented claim for payment.

An eligible displaced business may be paid for anticipated moving expenses in advance of the actual move whenever later payment would result in financial hardship. Please discuss this option with your Relocation Advisor.

**Relocation Payments are not Considered to be Income**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code, Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

No relocation payment received will be considered income or resources to any recipient of public assistance and such payments shall not be deducted from the amount of aid to which the recipient would otherwise be entitled under any other provisions of law.

**Right to Appeal**

Any aggrieved person may file a written appeal with the head of the public agency if the person believes the public agency has failed to properly determine his or her eligibility for relocation assistance advisory services or the amount of a relocation payment.

If you have a grievance, you will be given a prompt and full opportunity to be heard. You will also have the right to be represented by legal counsel or other representative in connection with the appeal, but solely at your own expense.

The public agency will promptly review your appeal and consider all pertinent justification and information available to ensure a fair and full review. The public agency will provide you with a written determination as well as an explanation of the decision. If you are still dissatisfied with the relief granted, the public agency will advise you of your right to seek judicial review of the public agency decision.

**Nondiscrimination**

Under Title VIII of the Civil Right Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if it is based on race, color, religion, sex, or national origin. Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et. seq.] sets forth the policy of the United States, within constitutional limits to ensure that all services and/or benefits will be administered without regard to race, color, national origin, or sex.
Section 4 – Loss of Business Goodwill

You may or may not be eligible to claim a loss of business goodwill. California law provides that under the circumstances detailed below, a business owner may be compensated for a loss of goodwill. Section 1263.510 of the California Civil Code of Procedure states:

(a) The owner of a business conducted on the property taken, or on the remainder if such property is part of a larger parcel, shall be compensated for loss of goodwill if the owner proves all of the following:

1. The loss is caused by the taking of the property or the injury to the remainder.

2. The loss cannot reasonably be prevented by relocation of the business or by taking steps and adopting procedures that a reasonably prudent person would take and adopt in preserving the goodwill.

3. Compensation for the loss will not be included in payments under Section 7262 of the Government Code.*

*Section 7262 of the Government Code refers to compensation to displaced persons for moving and related expenses as a part of the cost of the acquisition of real property for a public use. Compensation for the loss of goodwill under Section 1263.510 of the California Civil Code of Procedure will only be made to the extent such loss is not compensated for under Section 7262.

4. Compensation for the loss will not be duplicated in the compensation otherwise awarded to the owner.

(b) Within the meaning of this article, "goodwill" consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality and any other circumstances resulting in probable retention of old or acquisition of new patronage.
General Information

This brochure is provided to assist you in understanding your rights and benefits. If you have questions regarding your relocation please contact your Relocation Advisor. Additional information on relocation and acquisition requirements, the law, and the regulation can be found at http://www.leginfo.ca.gov/calaw.htm and http://www.dir.ca.gov/dise/CCR.htm.

This brochure has been provided to you as a courtesy by Associated Right of Way Services, Inc. and is intended to provide general information concerning the Relocation Assistance Program. Further details regarding relocation assistance and benefits are set forth in the Government Code of the State of California §7260, et seq; and the California Code of Regulations, Title 25, Chapter 6, Subchapter 1. In the event of any conflict, California Law and Regulations shall be controlling. Please contact your Relocation Advisor for additional information regarding the Relocation Assistance Program.
RESOLUTION NO. 27307

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING A HOUSING PLAN FOR PHASE 2 OF THE STONY POINT ROAD WIDENING PROJECT

WHEREAS, the City of Santa Rosa is preparing to acquire property necessary for Phase 2 of the Stony Point Road Widening Project (Project) from just south of Sebastopol Road further south to Heam Avenue; and

WHEREAS, the City of Santa Rosa is required to prepare and adopt a Relocation Impact Study that will address the relocation of any residents who are displaced because of the Project’s property acquisition needs, a component of which will be a Last Resort Housing Plan (Housing Plan) as required by the Cal. Govt. Code section 7264.5; and

WHEREAS, certain residents within the Project area have expressed a desire to enter into immediate negotiation with City staff regarding the sale of their residence; and

WHEREAS, in order to allow City staff to enter into discussions regarding the acquisition of residential properties with the Project area in a manner that is consistent and fair to all residents within the Project area, the City should act now to adopt its Housing Plan that will set forth the assistance that the City will make available to displaced homeowners.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby approves and adopts a Housing Plan for Phase 2 of the Stony Point Road Widening Project as attached hereto, which plan will allow City staff to offer displaced homeowners an amount up to a twenty percent (20%) downpayment for replacement housing tied the value of the Most Comparable Replacement Dwelling as established by the Housing Valuation Study performed for the Project.

IN COUNCIL DULY PASSED this 24th day of February, 2009.

AYES: (5) Mayor Gorin, Councilmembers Bender, Jacobi, Wysocky and Olivares

NOES: (1) Vice Mayor Vas Dupre

ABSENT: (1) Councilmember Sawyer

ABSTAIN: (0)

ATTEST: 
City Clerk

APPROVED: 
Mayor

APPROVED AS TO FORM:

City Attorney

\Council Item\HousingPlan\StonyPt-R83
LAST RESORT HOUSING PLAN

STONY POINT ROAD WIDENING PROJECT

PHASE 2

1. The City shall contract with a reputable appraiser to prepare a Fair Market Value appraisal of the property in accordance with Government Code Section 7260, et seq.

2. The City will present affected property owners with a formal written offer to purchase the property in accordance with Government Code Section 7260, et seq.

3. The City's Relocation Advisors will prepare a Housing Valuation Study using only homes that are comparable and available on the market. Certain homes will be eliminated from the analysis. These homes include:
   a. Homes for sale by owner
   b. Homes in foreclosure
   c. Homes that require significant repair or homes listed for sale "As Is".

4. The City will prepare a Conditional Notice of Entitlement for the affected households that describe the amount of assistance that is available based upon the City's Relocation Assistance Plan and the Housing Valuation Study. This Conditional Notice of Entitlement will be limited to a ninety-day period. At that time, the City may choose to rescind the Conditional Notice of Entitlement.

5. The Last Resort Housing Plan will be utilized when the City determines that a property owner will not benefit from the Relocation Plan's utilization of the Purchase Differential Payment. For example, a property owner may owe more on their mortgage than the City's appraisal of Fair Market Value. If the Housing Valuation Study replacement value is lower than the property owner's equity in their home, the owner would not qualify for the Purchase Differential Payment.

6. Under the preceding paragraph's conditions, the Plan authorizes the City to pay no more than 20% of the value of the Most Comparable Replacement Dwelling as established by the Housing Valuation Study. This would provide the down payment for replacement housing for a property owner who otherwise would not qualify for the Purchase Differential Payment, or if that payment would not be sufficient to allow the property owner to purchase another DS&S (Decent, Safe & Sanitary) home, as required by law.