

**MEMORANDUM OF AGREEMENT
BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE GLEASON PARK NEIGHBORHOOD PROJECT
STOCKTON, CALIFORNIA**

WHEREAS, the Redevelopment Agency of the City of Stockton (Agency) has determined that the development of the Gleason Park Neighborhood Project (the Undertaking) bounded by East Lafayette Street, South Stanislaus Street, East Hazelton Avenue, and South California Street, will have an adverse effect upon the Gleason Park Historic District, a property determined eligible for inclusion in the National Register of Historic Places (NRHP) (Figure 1), and has consulted with the California State Historic Preservation Officer (the SHPO) pursuant to 36 Code of Federal Regulations Part 800 and regulations implementing Section 106 of the National Historic Preservation Act (16 U.S. Government Code [USC] 470[f]); and

WHEREAS, the Agency, through Title I of the Housing and Community Development Act of 1974 (42 USC 5301 et seq.) (Community Development Block Grant Program) and Title II of the National Affordable Housing Act of 1990 (42 USC 12701 et seq.), the Home Investment Partnership Program will assist in the development of the Undertaking; the Mercy Housing California project component will be implemented partly through non-federal funding, and the Stockton Unified School District (SUSD) project component will be implemented wholly through non-federal funding; and

WHEREAS, Mercy Housing California has participated in the consultation and has been invited to concur in this Memorandum of Agreement (the Agreement); and

WHEREAS, the Stockton Unified School District has participated in the consultation and has been invited to concur in the Agreement; and

NOW, THEREFORE, the Agency, Mercy Housing California, SUSD, and SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties.

DESCRIPTION OF UNDERTAKING

I. SPECIFICATIONS FOR PROJECT DEVELOPMENT

A. Agency Project Component—Block 51 and 61

The City will renovate the existing Edna Gleason Park located on Block 51 in coordination with other anticipated development around the park. No changes in land use will occur on Block 61.

B. Mercy Housing Project Component—Block 52 and 43

Mercy Housing will construct up to 95 multifamily housing units, a childcare center, and community center on Block 52 and the south half of block 43. Prior to construction, all of the existing buildings would be demolished. The childcare and community center will be designed to integrate architectural features salvaged from a historic fourplex that was demolished on Block 43. Mercy Housing shall make all reasonable efforts to design the new construction to be compatible with existing historic buildings located on adjacent Blocks 53, 61, and 62. A display that depicts the history of the Gleason Park neighborhood will also be included in the design plans for the community center and/or the Alex G. Spanos School.

C. Stockton Unified School District Project Component—Block 60

The SUSD will construct an elementary school on Block 60. Existing buildings on the block will be demolished prior to school construction. The design for the Alex G. Spanos Elementary School will be a modern interpretation of the Craftsman style with incorporation of gabled roofs; shallow roof pitches; overhangs supported by triangulated, unadorned brackets or exposed beams and rafters; wide overhanging eaves; shed roofs applied as awnings; asymmetrically arranged windows; arched entryways; exposed structural elements; and virtually non-existent ornamentation.

II. RESOLVING ADVERSE EFFECTS OF THE UNDERTAKING ON ARCHITECTURAL PROPERTIES

A total of 52 of the 73 historic buildings located in the project area are contributors to the Gleason Park Historic District. The Undertaking will result in an adverse effect to 30 of the 52 resources that contribute to the district either through demolition or removal. With the proposed demolition/removal of 30 contributors to the Gleason Park Historic District, less than 50% of the historic district would remain. After a loss of more than 50% of contributing properties, the historic district will no longer meet NRHP eligibility criteria.

A. Stipulations

The Agency shall ensure that the plans and specifications for the Undertaking components A–C shall be forwarded to the City of Stockton (City) Cultural Heritage Board for its review and comment pursuant to Stockton Municipal Code 16-140 et seq. and 36 CFR Part 800.2(c)(6). The Cultural Heritage Board shall be given the opportunity at the earliest possible time to give input regarding each component of the Project.

The Agency shall ensure that the design and specifications for the Undertaking components A–C are developed in consultation with the SHPO and submitted to the SHPO for review and comment prior to final design. SHPO will be afforded an opportunity to comment on each component prior to design or as part of the design process.

1 The Agency Shall Ensure That the Following Measures Are Carried Out

a. City Project Component: Design of Edna Gleason Park (Block 51) to be Compatible with Project

The City will make all reasonable efforts to make park improvements that are compatible with planned development. The park design elements will include public art depicting historic photographs from the surrounding area and materials that tie in with the history of the area to give the park a neighborhood feel.

b. Mercy Housing Project Component: Relocation of One NRHP-Eligible Building on Block 52

Before demolition, the Agency will relocate or cause the relocation of one NRHP-eligible building on Block 52 to a new location at the historic Union Planing Mill (specialists in historic renovation work) located approximately two blocks southeast of the project boundary (and four blocks southeast of Block 52).

c. Stockton Unified School District Project Component: Design of School Building to be Sympathetic to Existing Historic Buildings

The SUSD shall make all reasonable efforts to design the Alex G. Spanos Elementary School on Block 60 to be sympathetic and compatible with existing historic buildings located on adjacent Blocks 59 and 61.

d. Photodocumentation of Historic Resources of the Gleason Park Historic District

Per request by the Cultural Heritage Board, before demolition, the Agency, Mercy Housing, and SUSD will ensure the photodocumentation of historic resources in the project area, using the standards of the Historic American Building Survey. The Agency, Mercy Housing, and SUSD will ensure that this measure is completed prior to demolition within the project area.

Before demolition, the Agency will prepare an archaeological treatment plan that will include a detailed research design, procedures for the treatment and evaluation of archaeological resources, including field and lab methods; details and describes the compressed approach to identifying historic properties and evaluates their potential significance within the proposed project (see Appendix A). The Agency & Mercy Housing

a. Development of Archaeological Treatment Plan

1. The Agency Shall Ensure That the Following Measures Are Carried Out

A. Stipulations

The Project involves demolition of historic buildings, which likely have associated archaeological deposits such as privies and refuse pits, in order to construct the proposed development. Thus, the project may impose a potentially significant impact on subsurface archaeological remains potentially located in the project area.

III. RESOLVING ADVERSE EFFECTS OF THE UNDERTAKING ON ARCHAEOLOGICAL PROPERTIES

The Agency will link results from the historic study prepared for the Undertaking to the City historic page "Discover Stockton" website.

f. Development of Project Website Link to City Website

The Agency, in coordination with Mercy Housing and SUSD will also prepare a historic report that contains a history of the Gleason Park neighborhood, discusses its importance within the community of Stockton, and includes photodocumentation and historic photographs. The Agency will distribute copies of the report to local parties, including the local historical society, museum, and branches of the San Joaquin County library, to afford visitors and researchers the opportunity to understand the context and significance of those remaining features of the Gleason Park Historic District. The Agency will coordinate with Haggin Museum and any other appropriate local preservation organizations to link the historic report with other interpretive programs aimed at providing the public with a greater understanding of the area's history. The objective of this historic report will be to increase local and regional public awareness of this historic district, as well as an awareness of the Agency's efforts to educate citizens about the history and culture of Stockton. The SUSD will ensure that this measure is implemented prior to completion of the school for Block 60.

e. Preparation of Historic Report Addressing the Context and Significance of the Gleason Park Historic District

are responsible for the implementation of the Archaeological Treatment Plan on Block 52, and the SUSD is responsible for Block 60.

b. **Development of Project Website Link to City Website**

The Agency will link results from the archaeological study prepared for both Blocks 52 and 60 of the Project to the City historic page "Discover Stockton" website.

c. **Artifact Curation**

During the laboratory analysis phase of the project, archaeological materials will be temporarily curated at the Jones & Stokes facility in Sacramento, California. The City will consult with the SHPO to establish a permanent curation facility prior to commencement of the archaeological fieldwork.

IV. ADMINISTRATIVE STIPULATIONS

A. Professional Standards

- 1 All work required by this MOA that addresses the identification, evaluation, treatment, and documentation of historic or potentially historic properties shall be carried out by or under the direct supervision of a person or persons meeting, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register [FR] 44738-44739) (PQS) in the appropriate disciplines. However, nothing in this stipulation may be interpreted to preclude any agent or contractor from using the properly supervised services of persons who do not meet the PQS.
- 2 All documentation required by this MOA that addresses the identification, evaluation, and treatment of historic or potentially historic properties shall be consistent with contemporary professional standards, to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716-40), as well as to standards and guidelines established by SHPO.

B. Resolving Objections

- 1 At any time during implementation of the measures stipulated in this Agreement, should an objection to any such measure or its manner of implementation be raised in writing by a member of the public, the Agency shall take the objection into account and consult, as needed, with the objecting party and the SHPO, as needed, for a period of time not to exceed thirty (30) days. If the Agency is unable to resolve the conflict, the Agency will forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council), following the terms outlined in stipulation IV.B.33 below.
- 2 The Agency or SUSD for Block 60 shall notify the SHPO as soon as practicable if it appears that any action covered by the Agreement may affect a previously unidentified property that may be eligible for inclusion in the NRHP or affect a known historic property in an unanticipated manner. The Agency or SUSD for Block 60 shall stop

construction in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the property and proceed pursuant to 36 CFR Part 800.13(b).

3. Should any signatory to this Agreement object at any time to the manner in which the terms of this Agreement are implemented, the Agency shall consult with the objecting party(ies) to resolve the objection. If the Agency determines within fifteen (15) days of receipt that such objection(s) cannot be resolved, the Agency will forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Part 800.2(b)(2). The Agency, in reaching a final decision regarding the dispute, shall take into account any Council comment provided. The Agency's responsibility to carry out all other actions under this Agreement that are not subject of the dispute will remain unchanged unless affected by the resolution of the disputed issue.

C. Amendment of the MOA

If any signatory believes that the terms of this Agreement cannot be carried out or that an amendment to its terms should be made, that signatory shall immediately consult with the other parties to develop amendments pursuant to 36 CFR Parts 800.6(c)(7) and 800.6(c)(8). If this Agreement is not amended as provided for in this stipulation, any signatory may terminate it, and the Agency shall proceed in accordance with 36 CFR Part 800.6(c)(8).

D. Termination

If either the terms of this Agreement or the Project have not been carried out within five (5) years following the date of execution of the Agreement, the signatories shall reconsider its terms. If the signatories agree to amend the Agreement, they shall proceed in accordance with the amendment process referenced in stipulation IV.C above.


Execution and implementation of this Agreement evidences that the Agency has afforded the Council a reasonable opportunity to comment on the Undertaking and its effects on historic properties, that the Agency has taken into account the affects of the undertaking on historic properties, and that the Agency has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and applicable implementing regulations.

Appendices

Appendix A—Archaeological Treatment Plan

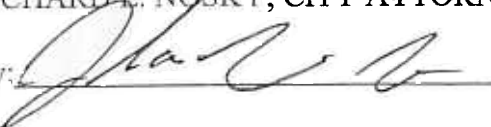
Signatories

REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON

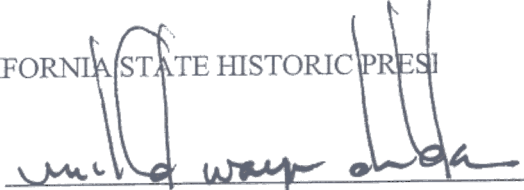
By: 
MARK LEWIS, Executive Director

Date: JUL 26 2005

APPROVED AS TO FORM
RICHARD E. NOSKY, CITY ATTORNEY

By: 

CALIFORNIA STATE HISTORIC PRES

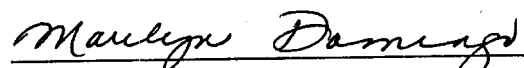
By: 
Milford Wayne Donaldson
State Historic Preservation Officer, FAIA

Date: 19 OCT 2005

MERCY HOUSING CALIFORNIA

By: _____

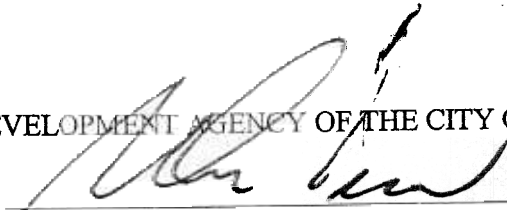
STOCKTON UNIFIED SCHOOL DISTRICT

By: 
Marilyn Domingo, Assistant Superintendent
CA library 31204 Business Services

Date: _____

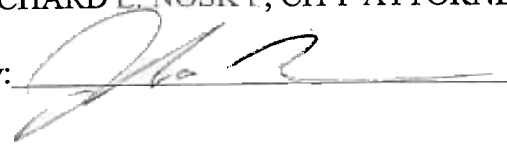
Signatories

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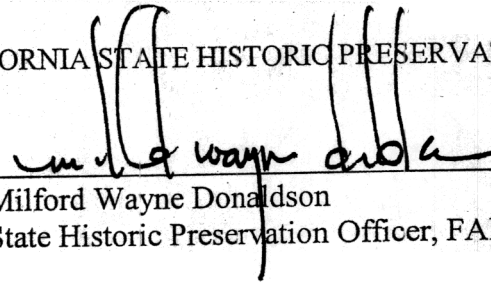
By: 
MARK LEWIS, Executive Director

Date: JUL 6

APPROVED AS TO FORM
RICHARD E. NOSKY, CITY ATTORNEY

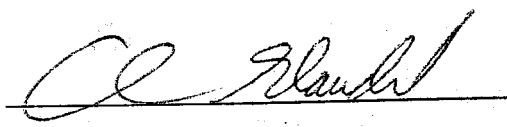
By: 

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER

By: 
Milford Wayne Donaldson
State Historic Preservation Officer, FAIA

Date: 19 OCT 2005

MERCY HOUSING CALIFORNIA

By: 
Chris Glaudel, Regional Director of Development

Date: 0-20 05

STOCKTON UNIFIED SCHOOL DISTRICT

By: _____

CA library 31204