

RA#6
10/30/07 RA#6
(RA-2008-36)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04222

DATE OF FINAL PASSAGE NOV 08 2007

A RESOLUTION OF THE REDEVELOPMENT AGENCY CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE GATEWAY CENTER WEST REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on November 17, 1976, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-11950 (NEW SERIES), on file in the office of the City Clerk as Document No. O-11950, approving and adopting a Redevelopment Plan for the Gateway Center West Redevelopment Project Area; and

WHEREAS, on February 27, 1984, the City Council amended O-11950 (new Series) and adopted ordinance No. O-16172; and

WHEREAS, on January 20, 1995, the City Council adopted Ordinance No. O-18123 (New Series) amending the Plan to establish time limits in conformance with section 33333.6 of the California Community Redevelopment Law [CRL] Health and Safety Code section 33000 et seq.; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, California Health and Safety Code Section 33333.6 applies to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, the Redevelopment Plan for the Gateway Center West Redevelopment Project Area was adopted on or before December 31, 1993; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Gateway Center West Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq.* which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Health and Safety Code Section 33333.6(e)(2)(D)(i)(ii), as amended by SB 1096, when an agency is required pursuant to Section 33681.12 to make a payment to the county auditor for deposit in the county's Educational Revenue Augmentation Fund (ERAF), the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) for one year for each in which a payment is made if both of the following apply: the time line for the effectiveness of the redevelopment plan established pursuant to subdivision (a) is more than 10 years but less than 20 years from the last day of the fiscal year in which a payment is made and the agency is in compliance with Section 33334.2 or 33334.6, as applicable, has adopted an implementation plan in accordance with the requirements of Section 33490, is in compliance with subdivisions (a) and (b) of Section 33413, and is not subject sanctions pursuant to subdivision (e) of Section 33334.12 for failure to expend, encumber or disburse an excess surplus; and

WHEREAS, the Agency was required to make a payment to the ERAF pursuant to Section 33681.12; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by three years the time limit on the effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area and receiving property taxes for the Gateway Center West Redevelopment Project Area; NOW, THEREFORE,

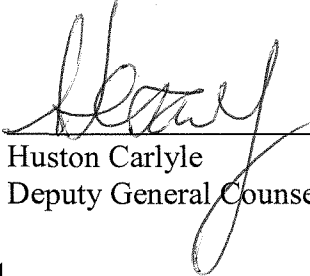
BE IT RESOLVED, by the Redevelopment Agency of City of San Diego as follows:

1. To recommend to the City Council that they adopt Ordinance No.

0-19680 to extend by three years the time limit on the effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area and receiving property taxes for the Gateway Center West Redevelopment Project Area.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

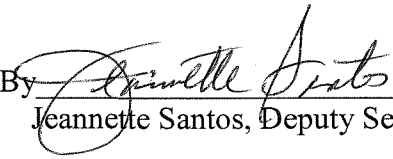
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By  _____
Huston Carlyle
Deputy General Counsel

HC:cfq
10/08/07
Or.Dept:SEDC
RA-2008-36
Council:Companion O-2008-41

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 30 2007.

REDEVELOPMENT AGENCY

By  _____
Jeannette Santos, Deputy Secretary

Approved: 11-8-07
(date)

 _____
JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on 001 30 2007, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

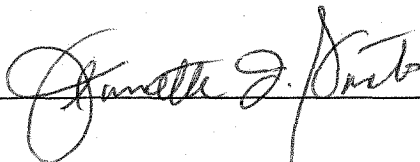
Date of final passage NOV 08 2007

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California.

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