

Sp. RA 2012-3
7/18/11
RA#1
Item 1

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04680

DATE OF FINAL PASSAGE JUL 25 2011

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO REDUCING ITS ALLOCATION TO THE LOW AND MODERATE INCOME HOUSING FUND FOR THE 2011-12 FISCAL YEAR AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN ACCORDANCE WITH ASSEMBLY BILL X1 27.

WHEREAS, the Redevelopment Agency of the City of San Diego (Agency) administers the implementation of various redevelopment projects, programs, and activities within fourteen designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, on June 15, 2011, the State Legislature passed Assembly Bill x1 26 (AB 26) and Assembly Bill x1 27 (AB 27), and on June 28, 2011, Governor Edmund G. Brown Jr. approved AB 26 and AB 27; and

WHEREAS, AB 26 generally prevents redevelopment agencies from entering into new or amended obligations or contracts, and eliminates redevelopment agencies and winds down their operations; and

WHEREAS, AB 27 allows redevelopment agencies to remain in existence, and to gain an exemption from the provisions of AB 26, in exchange for the payment of substantial sums of money on an annual basis; and

WHEREAS, AB 27 codified Part 1.9 of Division 24 of the California Health and Safety Code (Part 1.9), which now comprises a portion of the California Community Redevelopment Law; and

WHEREAS, AB 27 establishes a “voluntary alternative redevelopment program” whereby the Agency is authorized to continue to exist upon the Council’s enactment of an ordinance to comply with the provisions of Part 1.9 (Remittance Ordinance); and

WHEREAS, AB 27 requires the City to make specified remittances to the San Diego County Auditor-Controller (County Auditor) in order to continue the existence of the Agency, as prescribed in Part 1.9; and

WHEREAS, California Health and Safety Code sections 33334.2 and 33334.3 generally require the Agency to use at least 20 percent of taxes allocated to the Agency pursuant to California Health and Safety Code section 33670 (Tax Increment) for the purpose of increasing, improving, and preserving the City’s supply of low and moderate income housing and to hold such funds in a separate Low and Moderate Income Housing Fund (Housing Fund) until expended for the designated purpose; and

WHEREAS, AB 27 authorizes the Agency to enter into an agreement with the City, whereby the Agency will transfer a portion of its Tax Increment to the City, in an amount not to exceed the amount of the City’s annual remittance to the County Auditor (Remittance Agreement); and

WHEREAS, AB 27 authorizes the Agency to reduce its allocation of Tax Increment to the Housing Fund for the 2011-12 Fiscal Year if the City complies with the provisions of Part 1.9 and the Agency makes a finding that there are insufficient other moneys to meet its debt and other obligations, current priority program needs or its obligations under the Remittance Agreement; and

WHEREAS, the Agency has reviewed and duly considered the Staff Report, documents and other written evidence presented at the meeting and believes that it will be in the best

interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law and requirements to reduce its allocation of Tax Increment to the Housing Fund for the 2011-12 Fiscal Year by the aggregate amount of \$9,870,000 (Allocation Reduction), of which \$9,600,000 is allocated to the Centre City Redevelopment Project Area and \$270,000 is allocated to the North Park Redevelopment Project Area; and

WHEREAS, the Allocation Reduction is based upon the current estimate of the total remittance amount of \$69,818,380 that will need to be paid by the City to the County Auditor during the 2011-12 Fiscal Year in order to comply with Part 1.9; and

WHEREAS, if such total remittance amount is increased or decreased for any reason, then the Agency may need to consider a corresponding increase or decrease in the appropriate amount of the Allocation Reduction, which would be confirmed in a subsequent resolution adopted by the Agency; NOW, THEREFORE,

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


1. The Agency finds and determines that the foregoing recitals are true and correct.
2. The Agency has received and heard all oral and written objections pertaining to this matter, and all such oral and written objections are hereby overruled.
3. Based upon evidence in the record, the Agency finds that there are insufficient other moneys to meet its debt and other obligations, current priority program needs or its obligations under the Remittance Agreement.
4. The Agency finds and determines that it is necessary to implement the Allocation Reduction for the 2011-12 Fiscal Year.

5. The Agency's Executive Director, or designee, is hereby authorized to take such actions as are necessary and appropriate to carry out and implement the Allocation Reduction for the 2011-12 Fiscal Year upon the City's enactment of the Remittance Ordinance.

6. The Agency shall repay the full amount of the Allocation Reduction to the Housing Fund by the end of the 2014-2015 Fiscal Year, utilizing Tax Increment derived from the Centre City Redevelopment Project Area and the North Park Redevelopment Project Area in proportion to their relative shares of the Allocation Reduction.

APPROVED: JAN I. GOLDSMITH, General Counsel

By

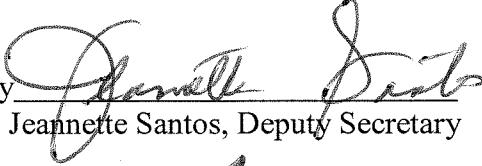


Nathan Slegers
Deputy General Counsel

NS:nja
7/15/2011
7/15/2011 Cor.Copy
7/20/2011 Rev.Copy
Or.Dept:Redev.Agency
RA-2012-3
PL#2011-07018
Comp. O-2012-7
R-2012-52
RA-2012-2

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of JUL 18 2011.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 7-25-11
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on JUL 18 2011, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<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"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Date of final passage JUL 25 2011

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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