

#52b
(O-2006-101) 4/4/06

ORDINANCE NUMBER O- 19479 (NEW SERIES)

DATE OF FINAL PASSAGE APR 07 2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE CENTRE CITY REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, pursuant to Ordinance Number 11977 adopted December 29, 1976, the City Council of the City of San Diego [City] adopted a redevelopment plan for the Marina Project Area [Marina Project]; and

WHEREAS, pursuant to Ordinance Number 11976 adopted December 29, 1976, the City Council adopted a redevelopment plan for the Columbia Project Area [Columbia Project]; and

WHEREAS, pursuant to Ordinance Number 15781 adopted July 26, 1982, the City Council adopted a redevelopment plan for the Gaslamp Quarter Project Area [Gaslamp Quarter Project]; and

WHEREAS, the Centre City Redevelopment Project was formally created with the adoption of a redevelopment plan for the Centre City Redevelopment Project [Redevelopment Plan] on May 11, 1992, by City Ordinance Number 0-17767, which merged the former Marina Redevelopment Project, the former Columbia Redevelopment Project and the former Gaslamp Quarter Redevelopment Project (each such area is sometimes referred to herein as a "Component Project Area"); and

WHEREAS, by Ordinance Number 0-11767 adopted on May 11, 1992, approximately 1,000 acres of new territory was added to the Centre City Redevelopment Project [Expansion Sub Area]; and

WHEREAS, the Redevelopment Plan was subsequently modified by Ordinance Number 0-18119, adopted on November 28, 1994; by Ordinance Number 0-18145 adopted on January 9, 1995; by Ordinance Number 0-18708 and Ordinance Number 0-18710, both adopted on November 8, 1999; by Ordinance Number 0-18720 adopted on November 22, 1999; by Ordinance Number 0-18843 adopted September 12, 2000; by Ordinance 0-19123 adopted December 10, 2002; and, by Ordinance Number 0-19270 adopted April 12, 2004; 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 Marina Project, the Columbia Project, the Gaslamp Quarter Project and the Expansion Sub Area were all 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 each of the Marina Project, the Columbia Project and the Gaslamp Quarter Project Areas and the Expansion Sub Area portion of the Centre City Redevelopment Project; 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 Marina Project, the Columbia Project and Gaslamp Project Areas and the Expansion Sub Area portion of the Centre City Redevelopment Project ; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the Community Redevelopment Law (California Health and Safety Code Sections 33000 et seq.), which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, California Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB 1045, 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 33607.7; and

WHEREAS, the San Diego Redevelopment Agency ("Agency") was required to make a payment pursuant to Health and Safety Code Section 33681.9; and

WHEREAS, the Agency and the City Council of the City of San Diego desire to extend by one year the time limit on the effectiveness of the Redevelopment Plan for the Marina Project, the Columbia Project and the Gaslamp Quarter Project Areas and the Expansion Sub Area of the Centre City Redevelopment Project and the time limit for paying indebtedness and receiving property taxes for the Marina Project, the Columbia Project and the Gaslamp Quarter Project Areas and the Expansion Sub Area of the Centre City Redevelopment Project; NOW; THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. The City Council hereby finds and determines that all of the foregoing recitals are true and correct.

Section 2. Amendment of Time Limits. In accordance with California Health and Safety Code Section 33333.6(e)(2)(C), and notwithstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan as stated herein by adoption of this Ordinance, and establishes the following limitations for each of the Component Project Areas and the Expansion Sub Area:

Marina Project Area.

- (1) Plan Effectiveness. The term of plan effectiveness for the Marina Project shall expire on December 29, 2017.
- (2) Repayment of Indebtedness; Receipt of Property Taxes.

Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Marina Project Area beyond ten years from the date of termination of the effectiveness of the original Redevelopment Plan for the Marina Project, or December 29, 2027.

Columbia Project Area.

- (1) Plan Effectiveness. The term of plan effectiveness for the Columbia Project shall expire on December 29, 2017.

Repayment of Indebtedness; Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Columbia Project Area beyond ten years from the date of

termination of the effectiveness of the original Redevelopment Plan for the Columbia Project, or December 29, 2027.

Gaslamp Quarter Project Area.

- (1) Plan Effectiveness. The term of plan effectiveness for the Gaslamp Quarter Project shall expire on July 30, 2023.

- (2) Repayment of Indebtedness; Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Gaslamp Quarter Project beyond ten years from the date of termination of the effectiveness of the original Redevelopment Plan for the Gaslamp Quarter Project, or July 30, 2033.

Expansion Sub Area.

- (1) Plan Effectiveness. The term of plan effectiveness for the Expansion Sub Area shall expire on May 11, 2033.

- (2) Repayment of Indebtedness; Receipt of Property Taxes. Subject to the provisions of paragraph (g) and (h) of Section 33333.6 of California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Expansion Sub Area beyond May 11, 2043.

Section 3. Application. The limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.

Section 4. Certification and Publication. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.

Section 5. Partial Invalidity. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 6. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after the second reading.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

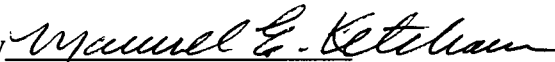


Susan Y. Cola
Deputy City Attorney

SYC:mm
02/21/06
Dept: CCDC
O-2006-101
MMS#3066

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 04 2006.

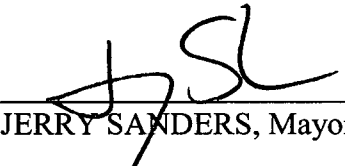
ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 4-07-06

(date)



JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor