

#50
4/25/06

(O-2006-105)

ORDINANCE NUMBER O- 19484 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 04 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ELIMINATING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS TO CARRY OUT THE REDEVELOPMENT PLAN FOR THE SOUTHCREST REDEVELOPMENT PROJECT.

WHEREAS, the City Council of the City of San Diego, California [City Council], adopted Ordinance No. 0-16622 (New Series) on April 14, 1986, on file in the office of the City Clerk as Document No. 00-16622, approving and adopting a Redevelopment Plan for the Southcrest Redevelopment Project Area; and

WHEREAS, on November 28, 1994, the City Council adopted Ordinance No. 0-18128 (New Series) amending the Plan to establish time limits in conformance with Section 33333.6 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq., [CRL]); 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, Section 33333.6(e)(2)(B) of the CRL provides that on or after January 1, 2002, a redevelopment plan may be amended by a legislative body by adoption of an

ordinance to eliminate the time limit on the establishment of loans, advances, and indebtedness required by the section prior to January 1, 2002; and

WHEREAS, Section 33333.6(e)(2)(B) of the CRL further provides that in adopting an ordinance eliminating the time limit on the establishment of loans, advances, and indebtedness, neither the legislative body nor the redevelopment agency is required to comply with CRL Section 33354.6 or CRL Article 12 or any other provision of the CRL relating to the amendment of redevelopment plans, except the redevelopment agency shall make the payment to affected taxing entities required by CRL Section 33607.7; and

WHEREAS, Section 620.5 of the Southcrest Redevelopment Plan provides that no loan, advance or indebtedness shall be established or incurred by the Agency to finance the Southcrest Redevelopment Project after April 14, 2006, and the Agency has proposed that the Southcrest Redevelopment Plan be amended for the purpose of eliminating that time limit as authorized by CRL Section 33333.6(e)(2)(B); NOW, THEREFORE,

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

Section 1. That the Redevelopment Plan for the Southcrest Redevelopment Project is hereby amended to eliminate the April 14, 2006, time limit for the Agency to establish or incur loans, advances or indebtedness to finance the Project. Specifically, Section 620.5 of the Redevelopment Plan for the Southcrest Redevelopment Project is hereby amended in its entirety to read as follows:

"There shall be no time limitation restricting the Agency's ability to establish or incur loans, advances or indebtedness to finance the Redevelopment Project during

0, 19484

which the Redevelopment Plan is effective, provided, however, that the Agency may not repay indebtedness or receive tax increments after ten (10) years from the termination of the Redevelopment Plan established in Section 900.1, except to pay for the Agency's inclusionary housing or replacement housing obligations or for pre-existing debt, or as otherwise allowed by State Law."

Section 2. That, in connection with the amendment to the Southcrest Redevelopment Plan approved and adopted in this Ordinance, the Agency shall make the payments to affected taxing entities required by CRL, Section 33607.7.

Section 3. That Ordinance No. 0-16622 (New Series), as amended by Ordinance No. 018128 (New Series) is continued in full force and effect as amended by this Ordinance.

Section 4. That the City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Southcrest Redevelopment Plan as amended by this Ordinance.

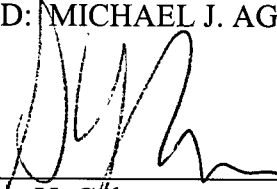
Section 5. That the amendment to the Southcrest Redevelopment Plan approved and adopted in this Ordinance is not a project subject to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.).

Section 6. That 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 this City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 7. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 8. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

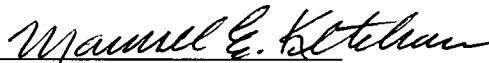
By 

Susan Y. Cola
Deputy City Attorney

SYC:mm
03/20/06
Dept: SEDC
O-2006-105
MMS#3128

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 25 2006.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 5-04-06

(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor