ORDINANCE NUMBER O-_____19682_____ (NEW SERIES)

DATE OF FINAL PASSAGE ___NOV 2 0 2007___

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

WHEREAS, on April, 14, 1986 , the Council of the City of San Diego, California [City

Council] adopted Ordinance No.O-16622 (New Seiries), on file in the office of the City Clerk as

Document No. O-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. O-18128

(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 Southcrest 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 Southcrest 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 Southcrest 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 Agency and the 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 Southcrest

Redevelopment Project Area and receiving property taxes for the Southcrest Redevelopment

Project Area; NOW, THEREFORE,

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

Section 1.   That the Council hereby finds and determines that all of the foregoing

recitals are true and correct.

Section 2.   That in accordance with California Health and Safety Code Section

33333.6(e)(2)(C) and not withstanding any other provision in the Redevelopment Plan, the City

Council hereby amends the Redevelopment Plan for the Southcrest Redevelopment Project Area

as stated herein by adoption of this Ordinance, and establishes the following limitations:

a.   <u>Plan Effectiveness.</u>   The term of plan effectiveness for the

Southcrest Redevelopment Project Area shall expire on April 14, 2027.

b.   <u>Repayment of Indebtedness: Receipt of Property Taxes.</u> 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 Southcrest Redevelopment Project Area beyond ten years from the date of termination

of the effectiveness of the Redevelopment Plan for the Southcrest Redevelopment Project Area

or April 14, 2037.

Section 3.   That the limitations established by this Ordinance may only be amended in

the manner required and to the extent permitted by law.

Section 4.   That 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.
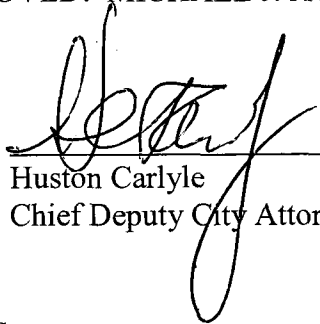
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Section 5.   That if any part of this Ordinance is held to be invalid for any reason, such

decision shall not affect the validity of the remaining portion of this Ordinance, and 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.   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 7   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
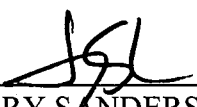

By

Huston Carlyle
Chief Deputy City Attorney

HC:cfq
10/08/07
Or.Dept:SEDC
O-2008-43
R.A.: Companion RA-2008-38
MMS#5420

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I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~NOV 1 3 2007~~ .

ELIZABETH S. MALAND
City Clerk

By_____
Deputy City Clerk

Approved: __11·20·07__
      (date)

_____
JERRY SANDERS, Mayor

Vetoed: _____
      (date)

_____
JERRY SANDERS, Mayor

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