

Introduced by Council member _____

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS FOR THE ORANGE GROVE REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of Pasadena, California adopted Ordinance No. 5103 on January 23, 1973 by passing, approving and adopting the Redevelopment Plan for the Orange Grove Redevelopment Project and such plan was amended on May 1, 1979 by Ordinance No. 5418 and further amended on December 22, 1986 by Ordinance No. 6193, and on December 15, 1999 by Ordinance No. 6812; and

WHEREAS, pursuant to Ordinance No. 6812 adopted on December 15, 1999, the Redevelopment Plan is effective until January 23, 2013; and

WHEREAS, California health and Safety Code Section 33333.6(c) prohibits the Commission from repaying indebtedness or receiving tax increment funds for more than ten (10) years beyond the time limit established for the effectiveness of the Redevelopment Plan; and

WHEREAS, pursuant to adopted Redevelopment Plan, the Commission shall not pay indebtedness or receive property taxes pursuant to California health and Safety Code Section 33670 after January 23, 2013; and

WHEREAS, SB 211 amended Section 33333.6(e) of the California Health and Safety Code to permit a legislative body to adopt an ordinance to eliminate the time limit on the establishment of loans, advances, and indebtedness required by that section, without complying with the procedural requirements for amending the redevelopment plans as set forth in Section 33000 et seq of the California Health and Safety Code.

WHEREAS, Section 33333.6(e) provides that in adopting an ordinance eliminating the time limit on the establishment of loans, advances, and indebtedness, the redevelopment agency shall make the payment to affected taxing entities required by Section 33607.7; and

WHEREAS, the Community Development Commission is designated as the agency to carry out, in the City of Pasadena, the functions and requirements of the California Redevelopment Law and to implement the Redevelopment Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Redevelopment Plan for the Orange Grove Redevelopment Project is hereby amended to eliminate the existing time limit for the Agency to establish or incur loans, advances or indebtedness to finance the Project. Specifically, Section 702 the Redevelopment Plan adopted on January 23, 1973 is hereby amended by inserting the following new paragraph as paragraph 3 to read:

“The time limitation restricting the Commission’s ability to establish or incur loans, advances or indebtedness to finance the Project, shall be January 23, 2013. However, the Agency may not repay indebtedness or receive tax increments after ten (10) years from the termination of the Redevelopment Plan established in Section 800. This limit shall not prevent the Commission from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Commission’s housing obligations under California Health and Safety Code Section 33413, or as otherwise allowed by State Law.”

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SECTION 2. In connection with the amendment to the Redevelopment Plan approved and adopted pursuant to this Ordinance, the Commission shall make the payments to affected taxing entities required by Section 33607.7 of the California Health and Safety Code.

SECTION 3. Ordinance Number 5103 as amended by Ordinances 5418, 6193 and 6812 are continued in full force and effect as amended by this Ordinance.

SECTION 4. The City Clerk shall send a certified copy of this Ordinance to the Commission, whereupon the Commission is vested with the responsibility for carrying out the Redevelopment Plan as amended by this Ordinance.

SECTION 5. 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 6. This Ordinance shall be in full force and effect thirty (30) days after its passage.

SECTION 7. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in its entirety.

Signed and approved this _____ day of _____, 2003.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held on the ____ day of _____ 2003 by the following vote:

AYES:

NOES:

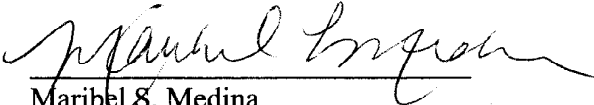
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:


Maribel S. Medina
Assistant City Attorney