



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: June 23, 2003

FROM: CITY ATTORNEY

TITLE OF PROPOSED ORDINANCES:

(1) AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS FOR THE REDEVELOPMENT PLAN FOR THE FAIR OAKS REDEVELOPMENT PROJECT FOR THE ORIGINAL PROJECT AREA AND THE ADDED PROJECT AREA

(2) AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS FOR THE REDEVELOPMENT PLAN FOR THE LAKE/WASHINGTON REDEVELOPMENT PROJECT

(3) AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS FOR THE REDEVELOPMENT PLAN FOR THE VILLA-PARKE REDEVELOPMENT PROJECT

(4) AN ORDINANCE OF THE CITY OF PASADENA REPEALING THE TIME LIMIT FOR ESTABLISHING LOANS, ADVANCES OR INDEBTEDNESS FOR THE REDEVELOPMENT PLAN FOR THE LINCOLN AVENUE REDEVELOPMENT PROJECT

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

PURPOSE OF ORDINANCES: The purpose of these ordinances is to repeal the existing debt incurrence time limit established in each respective redevelopment plan for the following redevelopment projects: Fair Oaks, Lake/Washington, Villa-Parke, Lincoln Avenue and Orange Grove. The City Council directed preparation of these ordinances.

68863.1

MEETING OF 6/23/2003

AGENDA ITEM NO. 9.A.1. - 5

REASONS WHY LEGISLATION IS NEEDED: In October 2001, Governor Gray Davis signed into law Senate Bill 211 which authorized redevelopment agencies to adopt an ordinance to repeal the time limit for making loans and establish debt for all project areas approved prior to 1994. SB 211 provides a summary procedure which would not require that the City comply with the normal procedures for amending redevelopment plans. (Health and Safety Code §33354.6).

Repeal of the debt limit for each of the respective projects would provide the Pasadena Community Development Commission with additional time to incur debt and make loans to assist future redevelopment projects.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED: The Planning Department will be responsible for implementing this ordinance. The repeal of the time limit for making loans and establishing debt would trigger the statutory pass through payments to affected County- taxing entities, such as Fire, Library, Flood, etc.

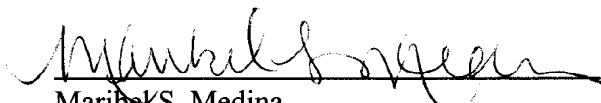
FISCAL IMPLICATIONS: This action will have no impact on the general fund. However, the repeal of the existing limits would allow the Community Development Commission to realize a bonding capacity ranging from \$7,716,000 in FY 2003 to a maximum of \$18,614,00 in FY 2015 for all five redevelopment project areas.

POLICY CHANGES: The redevelopment plans for the five identified project areas will only be amended with respect to the time limits for incurring indebtedness. The plans will otherwise remain unchanged.

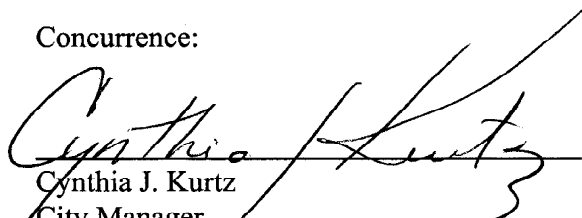
Respectfully submitted,


MICHELE BEAL BAGNERIS
City Attorney

Prepared by:


Maribel S. Medina
Assistant City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

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 FAIR OAKS REDEVELOPMENT PROJECT FOR THE ORIGINAL PROJECT AREA AND THE ADDED PROJECT AREA

WHEREAS, the City Council of the City of Pasadena, California adopted Ordinance No. 4677 on September 11, 1964 by passing, approving and adopting the Redevelopment Plan for the Fair Oaks Redevelopment Project and such plan was amended on May 14, 1968 by Ordinance No. 4870, on November 28, 1972 by Ordinance 5094, and on May 27, 1986 by Ordinance 6154, and on December 22, 1986 by Ordinance No. 6193, and on December 15, 1999 by Ordinances Numbers 6805 and 6806 (Original Project Area); and

WHEREAS, the City Council adopted Ordinance No. 6174 on July 14, 1986 amending the Redevelopment Plan to include an additional project area in the Redevelopment Plan (hereinafter referred to as the "Added Project Area), and further amended this Added Project Area Plan on December 15, 1999 by Ordinances Numbers 6805 and 6806; and

WHEREAS, Section 1(A) of Ordinance No. 6805 established that the Commission shall not establish or incur loans, advances, or indebtedness to finance the Redevelopment Project for the Original Project Area after January 1, 2004; and

WHEREAS, Section 2(A) of Ordinance No. 6805 established that the Commission shall not establish or incur loans, advances, or indebtedness to finance the Redevelopment Project for the Added Project Area after January 1, 2004; 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 Fair Oaks Redevelopment Project is hereby amended to eliminate the existing January 1, 2004 time limit for the Agency to establish or incur loans, advances or indebtedness to finance the Project. Specifically, Section 504 of the Redevelopment Plan adopted on July 14, 1986 is hereby amended in its entirety 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 1, 2009 for the Original Project Area and July 21, 2026 for the Added Project Area.

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."

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 4677 as amended by Ordinances 4870, 5094, 6154, 6193, 6805, 6806, and 6174 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:

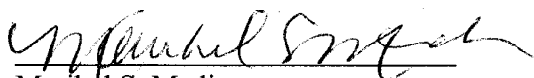
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:



Maribel S. Medina
Assistant City Attorney