

Ordinance Fact Sheet

DATE: DECEMBER 13, 1999

TO: CITY COUNCIL
FROM: CYNTHIA KURTZ
**SUBJECT: ORDINANCES EXTENDING REDEVELOPMENT TIME LIMITS
PURSUANT AB1290**

TITLE OF PROPOSED ORDINANCE

ORDINANCES EXTENDING REDEVELOPMENT TIME LIMITS (AB 1290) PURSUANT TO THE "SUMMARY ORDINANCE" PROCEDURES OF HEALTH AND SAFETY CODE SECTION 33333.6

PURPOSE OF THE LAW

The purpose of this ordinance is to establish conforming time limits for redevelopment plans state wide. AB1290 set conforming time limits in the following three areas: 1) Time limit for establishing debt, Time limit for Plan effectiveness, and Time limit for repayment of debt.

REASON WHY THIS LEGISLATION IS NEEDED

Under AB1290 redevelopment agencies are required to amend their redevelopment plans or prepare summary ordinances no later than December 31, 1999 or lose their opportunity to do so.

Redevelopment Project Areas

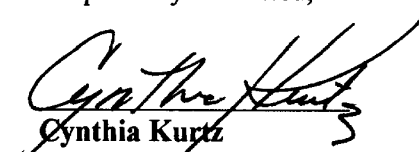
The redevelopment plans that will be effected by these ordinances are Fair Oaks, Lincoln, Lake/Washington, Orange Grove, Villa Parke, Old Pasadena and Downtown.

Fiscal Impact


This amendment will have no impact on the general fund. However, the Pasadena Community Development Commission will generate an estimated \$20,694,135 of new tax increment from the combined redevelopment projects areas affected by this amendment.

MEETING OF 12/13/99
AGENDA ITEM NO. 9.A.(3-12)


Respectfully submitted,



Cynthia Kurtz
City Manager

prepared by:


Frederick M. Jones
Senior Project

Approved by:


Richard Bruckner
Director, Housing & Development


Michelle Beal Bagneris
City Attorney

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA
AMENDING CERTAIN TIME LIMITATIONS FOR THE
REDEVELOPMENT PLAN FOR THE VILLA PARKE
REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of Pasadena adopted Ordinance No. 5097 on December 26, 1972 passing, approving and adopting the Redevelopment Plan (hereinafter referred to as the "Redevelopment Plan") for the Villa Parke Redevelopment Project (hereinafter referred to as the "Redevelopment Project"), and such Redevelopment Plan was amended on December 22, 1986 by Ordinance No. 6193; and

WHEREAS, California Health and Safety Code §33333.6 (b) requires that the Redevelopment Plan be limited so as to terminate the effectiveness of the Redevelopment Plan on a date not to exceed forty (40) years from the adoption of the Redevelopment Plan or January 1, 2009, whichever is later; and

WHEREAS, Section 1000 of the adopted Redevelopment Plan provides that the Redevelopment Plan shall be effective until December 26, 2002; and

WHEREAS, California Health and Safety Code §33333.6 (c) prohibits the Pasadena Community Development Commission (the redevelopment agency of the City of Pasadena, hereinafter referred to as 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 in accordance with California Health and Safety Code §33333.6 (b); and

WHEREAS, pursuant to the adopted Redevelopment Plan, the Commission shall not pay indebtedness or receive property taxes pursuant to California Health and Safety Code §33670 after December 26, 2012; and

WHEREAS, California Health and Safety Code §33333.6 (a) prohibits the Commission from establishing loans, advances, and indebtedness for more than twenty (20) years beyond the adoption of the Redevelopment Plan or January 1, 2004, whichever is later; and

WHEREAS, Section 3 (B) of Ordinance No. 6193 established that the Commission shall not establish or incur loans, advances, or indebtedness to finance the Redevelopment Project after December 25, 2002; and

WHEREAS, Chapter 635 of the California Statutes of 1998 amended §33333.6 (f) (2) of the California Health and Safety Code, to permit the extension of the above referenced dates made applicable to the Redevelopment Plan by further amending the Redevelopment Plan, without complying with the procedural requirements for amending redevelopment plans as set forth in §33000 et seq. of the California Health and Safety Code.

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

SECTION 1. Amendment of Redevelopment Plan. In accordance with the requirements of Section 33333.6 (f) (2) of the California Health and Safety Code, as amended by Chapter 635 of the California Statutes of 1998, the City Council hereby amends and establishes the following limitations for the Redevelopment Project, subject to all of the provisions of this Ordinance:

- A. Consistent with California Health and Safety Code §33333.6 (b), and as an amendment to the date first established by Section 1000 of the adopted Redevelopment Plan, except as provided in subdivision (g) and (h) of California Health and Safety Code §33333.6, the effectiveness of the Redevelopment Plan shall terminate December 26, 2012. Thereafter, the Commission shall have no authority to act pursuant to the Redevelopment Plan except to pay previously incurred indebtedness and to enforce existing covenants, contracts, or other obligations.
- B. In accordance with California Health and Safety Code §33333.6 (c), and as an amendment to the date first made applicable by the adopted Redevelopment Plan, except as provided in subdivision (g) and (h) of California Health and Safety Code §33333.6, the Commission shall not pay indebtedness or receive property taxes pursuant to California Health and Safety Code §33670 after ten (10) years from the termination of the effectiveness of the Redevelopment Plan, that is after December 26, 2022.
- C. In accordance with California Health and Safety Code §33333.6 (a), and as an amendment to the date first established by Section 3 (B) of Ordinance No. 6193, except as provided in subdivision (g) and (h) of California Health and Safety Code §33333.6, the Commission shall not establish any loans, advances, or indebtedness to finance the Redevelopment Project from tax increment after January 1, 2004. 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 §33413. This limit shall also not prevent the Commission from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid does not exceed the date on which the indebtedness would have been paid.

SECTION 2. Application. The limitations established in Section 1 of this Ordinance shall apply to the Redevelopment Plan and may only be amended by amendment of the Redevelopment Plan in the manner required by law.

SECTION 3. Publication. The City Clerk of the City of Pasadena is hereby directed to publish this Ordinance, or the title thereof as summary, pursuant to state statute, once within fifteen (15) days after its passage in the Pasadena Star-News, a newspaper of general circulation published in the City of Pasadena.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Pasadena, California, held on the ____ day of _____, 1999, and, thereafter.

PASSED, APPROVED AND ADOPTED at a meeting of the City Council of the City of Pasadena, California, held on the ____ day of _____, 1999, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR, CITY OF PASADENA

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

Michele Paul Bay

CITY ATTORNEY