

ORDINANCE NO. _____

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

WHEREAS, the City Council of the City of Pasadena adopted Ordinance No. 5005 on December 29, 1970 passing, approving and adopting the Redevelopment Plan (hereinafter referred to as the "Redevelopment Plan") for the Pasadena Downtown 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, the adopted Redevelopment Plan provides that the Redevelopment Plan shall be effective until December 29, 2005; 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 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 receive property taxes pursuant to California Health and Safety Code §33670 after December 29, 2015; 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; 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 2 (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 28, 2005, which exceeds the time limit allowed under California Health and Safety Code §33333.6 (a).

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

SECTION 1. Amendment of Redevelopment Plan.

(A) In accordance with the requirements of Section 33333.6 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:

1. Consistent with California Health and Safety Code §33333.6 (b), and as an amendment to the date first established by 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 29, 2010. 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.

2. 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 29, 2020.

3. In accordance with California Health and Safety Code §33333.6 (a), and as an amendment to the date first established by Section 2 (B) of Ordinance 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. Severability. The intent of the City Council in adopting this Ordinance is designed solely to accomplish the specific actions set forth herein, and the intent of the City Council is not to affect the rights and obligations of the Commission and the City under (1) the First Amendment To Amended And Restated Reimbursement Agreement Dated July 7, 1986, No. 13,177 (Pasadena Downtown Redevelopment Project) (the "Reimbursement Agreement"), adopted pursuant to Health and Safety Code §33608, and/or (2) said Section 33608. The City Council hereby declares that should the adoption of this Ordinance or any part thereof be found to affect the validity of the Reimbursement Agreement, it would not have adopted this Ordinance or such part thereof.

SECTION 4. 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 5. 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 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

Michelle Beal By

CITY ATTORNEY