

ORDINANCE NUMBER O-18120 (NEW SERIES)

ADOPTED ON NOVEMBER 28, 1994

AN ORDINANCE AMENDING TIME LIMITS IN THE  
REDEVELOPMENT PLAN FOR THE CITY HEIGHTS  
REDEVELOPMENT PROJECT.

WHEREAS, Assembly Bill 1290 ("AB 1290") (Chapter 942 of 1993) was signed into law by the Governor and became effective January 1, 1994. This legislation made major reforms to the California Community Redevelopment Law (California Health and Safety Code section 33000 et seq.); and

WHEREAS, AB 1290 added Health and Safety Code section 33333.6 to the Community Redevelopment Law establishing certain limitations on the incurring and repaying of indebtedness and the duration of redevelopment plans and use of eminent domain, which limitations apply to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, Section 33333.6 further provides that unless a redevelopment plan adopted prior to January 1, 1994, already contains limitations which comply with that section, the legislative body shall adopt an ordinance on or before December 31, 1994, to amend the redevelopment plan either (1) to amend an existing time limit that exceeds the applicable time limit established by that section, or (2) to establish time limits that do not exceed the provisions of that section; and

WHEREAS, this ordinance is enacted as mandated by and in accordance with Section 33333.6 of the Health and Safety Code to

amend the various redevelopment plans under the jurisdiction of the Redevelopment Agency of The City of San Diego; NOW, THEREFORE,

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

Section 1. That section 802 of Article VIII of the Redevelopment Plan for the City Heights Redevelopment Project, adopted May 11, 1992, by Ordinance No. O-17768 (New Series), on file in the office of the City Clerk as Document No. OO-17768, is hereby amended to read as follows:

SEC. 802 Tax Increment

1. through 3. - [No changes.]
4. That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part. However, the Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 after May 11, 2042, except as otherwise specifically permitted under Health and Safety Code Section 33333.6.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only

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to pay the program administration, principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Redevelopment Project.

5. and 6. - [No changes.]

7. No loan, advance, or other indebtedness to finance, in whole or in part, the Project and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be established or incurred by the Agency beyond May 11, 2012, except as otherwise specifically permitted under Health and Safety Code Section 33333.6. No loan, advance or indebtedness to finance, in whole or in part, the Project and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be repaid beyond May 11, 2042, except as otherwise specifically permitted under Health and Safety Code Section 33333.6.

Section 2. That section 1100 of Article XI of the Redevelopment Plan for the City Heights Redevelopment Project, adopted May 11, 1992, by Ordinance No. O-17768 (New Series), on file in the office of the City Clerk as Document No. OO-17768, is hereby amended to read as follows:

**Sec. 1100 LENGTH OF THIS PLAN**

Except for the nondiscrimination and nonsegregation provisions, which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for the period ending on May 11, 2032; except that provisions in documents providing for the payment of loans, advances or other indebtedness may be made effective for any longer time needed for the purpose of repaying in full such loans, advances or other indebtedness, but not beyond May 11, 2042 for loans, advances or other indebtedness to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802.

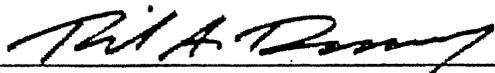
Section 3. That the City Clerk is hereby directed to send a copy of this ordinance to the Secretary of the Redevelopment

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Agency of The City of San Diego to incorporate these plan amendments into Document No. 00-17768, on file in the office of the City Clerk.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Richard A. Duvernay  
Deputy City Attorney

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STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~  
NEW LANGUAGE: ~~Shaded~~

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The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the program administration, principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Redevelopment Project.

5. and 6. - [No changes.]

7. No loan, advance, or other indebtedness to finance, in whole or in part, the Project and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be established or incurred by the Agency after ~~June 30, 2032, beyond May 11, 2012, except by amendment of~~

~~this Plan as otherwise specifically permitted under Health and Safety Code Section 33333.5. No loan, advance or indebtedness to finance, in whole or in part, the Project and which is to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be repaid beyond June 30, 2047, May 11, 2042, except by amendment of this Plan as otherwise specifically permitted under Health and Safety Code Section 33333.6.~~

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