

Ordinance No.: 9887  
Adopted: 9/26/07 (3)

AN ORDINANCE AMENDING CERTAIN TIME LIMITATIONS WITH RESPECT TO THE  
REDEVELOPMENT PLAN FOR THE UPPER SAN DIEGO RIVER IMPROVEMENT  
PROJECT

WHEREAS, on July 18, 1989, the Board of Supervisors of the County of San Diego [Board of Supervisors], adopted Ordinance No. 7652, on file with the Clerk of the Board of Supervisors, approving and adopting a Redevelopment Plan for the Upper San Diego River Improvement Project [USDRIP]; and

WHEREAS, on March 17, 1995, the Board of Supervisors adopted Ordinance No. 8508, on file with the Clerk of the Board of Supervisors, amending the USDRIP Redevelopment Plan to conform to AB 1290 limitations; and

WHEREAS, the Redevelopment Agency of the County of San Diego [Agency] is engaged in activities necessary to carry out in the unincorporated areas of the County of San Diego the functions and requirements of the Community Redevelopment Law, Health & Safety Code sections 33000 et seq., [CRL] and to implement redevelopment plans for the County of San Diego; and

WHEREAS, CRL Section 33681.9 was added by SB 1045, which was signed by the Governor on September 1, 2003, and requires the Agency during the 2003/2004 fiscal year to make a payment into the County's Educational Revenue Augmentation Fund; and

WHEREAS, Section 33333.6 of the CRL was amended by SB 1045 to provide that when an Agency is required to make a payment pursuant to section 33681.9 the legislative body may amend a redevelopment plan to extend, by one year, the time limit of the effectiveness of the plan and the time limit to repay indebtedness;

WHEREAS, CRL Section 33333.6(e)(2)(B) provides that in adopting an ordinance extending the time limits on effectiveness of the plan and the time limit to repay indebtedness, neither the legislative body nor the redevelopment agency is required to comply with CRL section 33354.6 or CRL Article 12 or any other provision of the CRL relating to the amendment of redevelopment plans; NOW, THEREFORE,

BE IT RESOLVED, by the Board of Supervisors of the County of San Diego as follows:

Section 1. The time limit on the effectiveness of the Redevelopment Plan, as set forth in Section 1000 of the Redevelopment Plan, as amended by Ordinance No. 8508, shall be amended to read as follows: "41 years from the effective date of adoption of this Plan." Based upon the date of adoption of the Redevelopment Plan, the effectiveness of the Redevelopment Plan shall terminate on July 16, 2030.

Section 2. Ordinance Nos. 7652, as amended by Ordinances 8508 and 9886 [SB 211 Ordinance] are continued in full force and effect except as amended by this Ordinance.

Section 4. The Board of Supervisors finds that the funds used to make a payment to the County's Educational Revenue Augmentation Fund pursuant to Section 33681.9 would otherwise have been used to pay the costs of projects and activities necessary to carry out the goals and objectives of the redevelopment plan.

Section 5. The Clerk of the Board of Supervisors is hereby directed to send a certified copy of this Ordinance to the Agency whereupon the Agency is vested with the responsibility for carrying out the USDRIP Redevelopment Plan as amended by this Ordinance.

Section 6. Severability. 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 Board of Supervisors hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 7. CEQA. The amendment to the USDRIP Redevelopment Plan approved and adopted in this Ordinance is not a project subject to the California Environmental Quality Act (Public Resources Code section 21000 et seq.).

Section 8. Effective Date. This Ordinance shall be in full force and will take effect thirty days from and after its passage.

Section 10. Publication. The Clerk of the Board of Supervisors is hereby ordered and directed to cause this Ordinance to be published in the manner and time required by law.

**PASSED, APPROVED, AND ADOPTED THIS 26th day of September, 2007.**

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