

Ordinance No.: 9888
Adopted: 9/26/07 (3)

AN ORDINANCE AMENDING THE UPPER DIEGO REDEVELOPMENT PLAN TO
ACKNOWLEDGE NO AUTHORITY FOR EMINENT DOMAIN PURSUANT TO SECTION
33342.7 OF THE HEALTH & SAFETY CODE

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 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, SB 53 amended the CRL to add Section 33342.7 which requires the legislative body to pass an ordinance describing the Agency's program for use of eminent domain for acquisition of property; and

WHEREAS, USDRIP Redevelopment Plan Section 503 provided the Agency authority to use eminent domain, however the authority expired on July 17, 2001;

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

Section 1. The Redevelopment Agency of the County of San Diego does not have authority to use eminent domain in the Upper San Diego River Improvement Project and therefore has no program to describe for purposes of Health & Safety Code section 33342.7.

Section 2. Effective Date. This Ordinance shall be in full force and will take effect thirty days from and after its passage.

Section 3. 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.

BOARD07\USDRIPSB53-ORD;jcr