

## ATTACHMENT E

Ordinance No: 9972 (N.S.)  
Adopted:03/03/2009 (5)

### AN ORDINANCE TO ACKNOWLEDGE NO AUTHORITY FOR EMINENT DOMAIN PURSUANT TO SECTION 33342.7 OF THE HEALTH & SAFETY CODE WITHIN THE GILLESPIE FIELD REDEVELOPMENT PLAN

WHEREAS, on July 7, 1987, the Board of Supervisors of the County of San Diego (Board of Supervisors), adopted Ordinance No. 7339, on file with the Clerk of the Board of Supervisors, approving and adopting the Redevelopment Plan for the Gillespie Field Redevelopment Project Area; and

WHEREAS, on November 8, 1994, the Board of Supervisors adopted Ordinance No. 8471 amending the Redevelopment Plan for the Gillespie Field Redevelopment Project Area 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 the functions and requirements of the Community Redevelopment Law, Health & Safety Code section 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, Gillespie Field Redevelopment Plan section 440 provided the Agency authority to use eminent domain, however the authority expired on July 14, 1999;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ORDAINS AS FOLLOWS:

Section 1. The Redevelopment Agency of the County of San Diego does not have authority to use eminent domain in the Gillespie Field Redevelopment 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 by the Board of Supervisors of the County of San Diego this 3<sup>rd</sup> day March, 2009.