

RESOLUTION NO. 2009-322

Adopted by the Sacramento City Council

May 26, 2009

CITY REDEVELOPMENT AGENCY PASS THROUGH ELECTION FOR FISCAL YEARS 2008-09, 2009-10 AND 2010-2011

BACKGROUND

- A. The national economic downturn has resulted in a shortfall of revenues to the City of Sacramento.
- B. The City Council, as the legislative body of the community has adopted the Merged Downtown, Del Paso Heights, Oak Park, North Sacramento, Alkali Flat, 65th Street, Army Depot, Railyards and River District Redevelopment Project Areas.
- C. The City Council and the Sacramento County Board of Supervisors, as the legislative bodies of the community, have jointly adopted the Auburn Boulevard, Franklin Boulevard and Stockton Boulevard Redevelopment Project Areas.
- D. The City Council desires to elect to receive pass through payments pursuant to Health and Safety Code §33607.5(b) from those City Redevelopment project areas for which it is eligible to receive payments.
- E. The City Council further acknowledges that pursuant to Health and Safety Code 33607.5 (a) (2) it is not statutorily eligible to receive pass through payments from certain Redevelopment project areas in which the City has received and expended tax increment funds for public facilities and infrastructure which exceed the amount of pass through payments for which the City would be eligible to receive or in which pass through agreements adopted prior to 1994 are in place.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council, as the legislative body of the community hereby elects to receive pass through payments for the Merged Downtown, Del Paso Heights, Oak Park, Alkali Flat, 65th Street, Army Depot, Railyards, River District and Stockton Blvd. redevelopment project areas pursuant to Health and Safety Code §33607.5(b).
- Section 2. The City Council declares that these pass through payments which it is electing to receive for fiscal years 2008-09, 2009-10 and 2010-11 shall be subordinate to all current debt obligations as well as all future debt, as may be approved by the Redevelopment Agency's Board of Directors as well as any Governing Board approved future debt obligations.

Section 3. The City Council's election to receive the pass through payments shall be for permissible amount of tax increment available, if any, for fiscal years 2008-09, 2009-10 and 2010-11.

Section 4. The pass through payments shall cease after the 2010-11 fiscal year. The City Council may by resolution elect to receive pass through payments in additional fiscal years beyond 2010-11.

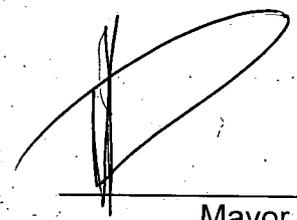
Adopted by the City of Sacramento City Council on May 26, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk