

## **ORDINANCE NO. 2011- 003**

Adopted by the Sacramento City Council

January 25, 2011

### **ORDINANCE ADOPTING THE FIFTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE AUBURN BOULEVARD REDEVELOPMENT PROJECT AREA TO ELIMINATE THE TIME LIMIT ON INCURRING DEBT**

#### **BACKGROUND**

- A. Pursuant to Ordinance No. 92-048 adopted on September 29, 1992 and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan for the Auburn Redevelopment Project Area has been amended from time, most recently on May 8, 2007, by Ordinance No. 2007-37.
- C. This is the Fifth Amendment to the Auburn Redevelopment Plan. The Redevelopment Plan has been amended four times before. These previous amendments are: 1) Amendment Pursuant of Health and Safety Code Section 33333.6, Ordinance No. 94-046; 2) Amendment extending term of Redevelopment Plan due to ERAF shift, Ordinance No. 2003-076; 3) Amendment to Section 307 of the Redevelopment Plan, County Ordinance No.1532; 4) Amendment Adopting an Eminent Domain Program, Ordinance No. 2007-37.
- D. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- E. The Redevelopment Agency of the City of Sacramento (the "Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- F. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report was prepared and certified in 1992. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendment does not require further environmental review, pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area ("Redevelopment Plan") as authorized under Section 33333.6 of the Health and Safety Code.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the Auburn Boulevard Redevelopment Project Area" is hereby eliminated from the Auburn Boulevard Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area.

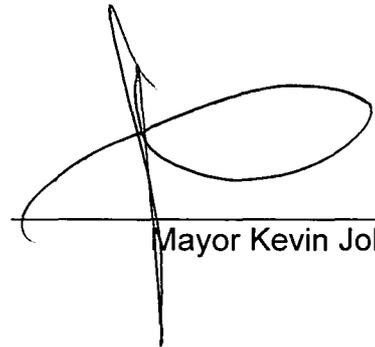
Adopted by the City of Sacramento City Council on January 25, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



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Mayor Kevin Johnson

Attest:



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Shirley Concolino, City Clerk

Passed for Publication: January 18, 2011

Published: January 21, 2011

Effective: February 23, 2011