

RESOLUTION NO. 2007-005

Adopted by the Redevelopment Agency
of the City of Sacramento

January 16, 2007

APPROVING AND TRANSMITTING TO THE CITY COUNCIL OF THE CITY OF SACRAMENTO THE PROPOSED FIFTH AMENDMENT TO THE RICHARDS BOULEVARD REDEVELOPMENT PLAN TO REPEAL TIME LIMIT ON INDEBTEDNESS

BACKGROUND

- A. The City Council of the City of Sacramento (the "City Council") adopted a Redevelopment Plan for the Richards Boulevard Redevelopment Project (the "Redevelopment Plan") on July 17, 1990, by Ordinance No. 90-037.
- B. The Redevelopment Plan was subsequently amended on October 4, 1994 by Ordinance No. 94-046, on July 2, 1996 by Ordinance No. 96-038, on November 13, 2003 by Ordinance No. 2003-073, and on September 28, 2004 by Ordinance No. 2004-050 to establish various time limits, extend the Project Area boundaries, extend the Plan term, and extend the eminent domain authority.
- C. As a result of these Redevelopment Plan amendments, the expiration of the Redevelopment Plan is July 16, 2026, but the authority to incur indebtedness currently expires in 2010.
- D. In September 2004, the Redevelopment Agency of the City of Sacramento ("Agency") prepared a Report to Council which included information to demonstrate that significant blight remains within the Richards Boulevard Redevelopment Project Area and the City Council adopted findings that the Agency needs to continue its redevelopment efforts to correct conditions of blight to benefit the Project Area.
- E. Section 33333.6(e)(2)(B) of the California Community Redevelopment Law, California Health and Safety Code Sections 33000, et seq., (the "CRL"), authorizes amendments to redevelopment plans adopted prior to January 1, 1994 to eliminate the time limit on the establishment of loans, advances and indebtedness (collectively "indebtedness"), so that the indebtedness time limit becomes the same as the Redevelopment Plan term.
- F. Section 33333.6(e)(2)(B) of the CRL also provides that an amendment to a pre-1994 redevelopment plan to repeal the time limit on indebtedness is exempt from the CRL's formal plan amendment processing requirements.

- G. Section 33607.7 of the CRL requires that the Agency continue to make payments to the affected taxing agencies pursuant to existing agreements entered into prior to January 1, 1994 if an amendment to a pre-1994 redevelopment plan to repeal the time limit on indebtedness is adopted.
- H. Notice of the joint public hearing for this Fifth Amendment to the Richards Boulevard Redevelopment Plan to repeal the time limit on indebtedness was sent to all taxing agencies and published in a newspaper of general circulation in the City's jurisdictional boundaries once a week for three (3) successive weeks prior to the date of the joint public hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and Secretary of the Agency.
- I. The proposed action to adopt the Fifth Amendment to the Redevelopment Plan is exempt from environmental review under the California Environmental Quality Act Guidelines Section 15378(b)(4) as a government funding mechanism that does not involve commitment to fund any specific projects.
- J. The Agency is required to submit to the City Council the proposed amendment to the Redevelopment Plan for its consideration.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

Section 1. The purpose and intent of the Agency with respect to the Project Area in connection with the Fifth Amendment is to extend the Agency's existing authority to issue loans, advances and bond indebtedness for the full term of the Redevelopment Plan by repealing the time limit on indebtedness in order to allow the Agency to continue to undertake steps to eliminate blight and blighting conditions, and achieve the goals and objectives of the Redevelopment Plan.

Section 2 The proposed Fifth Amendment to the Redevelopment Plan would amend Section 504, Time Limit on Establishment of Indebtedness to read as follows:

D. "[Section 504] Time Limit on Establishment of Indebtedness

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project after the expiration of this Plan. Loans, advances or indebtedness may be repaid over a period of time beyond said time limit in accordance with the Community Redevelopment Law. Such time limitation to establish or incur loans, advances or indebtedness may be extended only by amendment of this Plan to extend its term."

Section 3. The Agency hereby approves the Redevelopment Plan amendment and recommends adoption by the City Council.

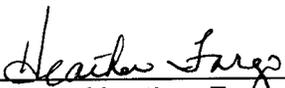
Adopted by the City of Sacramento Redevelopment Agency on January 16, 2007 by the following vote:

Ayes: Members Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Chair Fargo.

Noes: None.

Abstain: None.

Absent: Member Cohn.



Heather Fargo, Chair

Attest:



Shirley Concolino, Secretary