CITY COUNCIL ORDINANCE

ORDINANCE NO. 2800

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE SOUTHWINDS PROJECT AREA TO ELIMINATE THE TIME LIMIT ON THE ESTABLISHMENT OF LOANS, ADVANCES AND INDEBTEDNESS

WHEREAS, the City Council of the City of Oxnard (the "City Council") adopted Ordinance No. 2528 on July 18, 2000, approving and adopting the Amended and Restated Redevelopment Plan for the Southwinds Project Area (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan contains a time limit for establishing loans, advances and indebtedness for the Southwinds Project Area; and

WHEREAS, the California State Legislature enacted SB 211, making various amendments to the Community Redevelopment Law (California Health and Safety Code Section 33000 *et seq.*), which was chaptered as Chapter 741 and became effective on January 1, 2002; and

WHEREAS, California Health and Safety Code Section 33333.6(e)(2)(B), as amended by SB 211, provides that, with regard to redevelopment plans originally adopted prior to January 1, 1994, on or after January 1, 2002, a legislative body (*e.g.*, the City Council) may adopt an ordinance eliminating the time limit on incurring indebtedness formerly required (*i.e.*, prior to January 1, 2002) by Section 33333.6 of the California Health and Safety Code and such ordinance may be adopted without compliance with California Health and Safety Code Section 33354.6, Article 12 of the California Health and Safety Code or any provision of the California Health and Safety Code pertaining to amendments of redevelopment plans, except that the redevelopment agency must make the payments to affected taxing entities required by California Health and Safety Code Section 33607.7; and

WHEREAS, the redevelopment plan establishing the Southwinds Project Area was adopted prior to January 1, 1994; and

WHEREAS, the Oxnard Community Development Commission (the "CDC") and the City Council desire to eliminate the time limit on the establishment of loans, advances and indebtedness for the Southwinds Project Area.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby ordain as follows:

Section 1. Elimination of Time Limit. In accordance with Section 33333.6(e)(2)(B) of the California Health and Safety Code, the Redevelopment Plan is hereby amended by adoption of this Ordinance to eliminate the time limit on the establishment of loans, advances

and indebtedness required by Section 33333.6 of the California Health and Safety Code prior to January 1, 2002.

Section 2. Certification and Publication. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of Oxnard.

Section 3. Partial Invalidity. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of the Ordinance if such invalid portion thereof had been deleted.

Section 4. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after second reading.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2009.

AYES:

NOES:

ABSENT:

THE CITY OF OXNARD

_____
Dr. Thomas E. Holden
Mayor

ATTEST:

_____
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

_____
Alan Holmberg, City Attorney