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DEPUTY CITY CLERK

OAKLAND CITY COUNCIL
ORDINANCE NO. 12617C.M.S.

**AN ORDINANCE AMENDING THE CENTRAL DISTRICT URBAN
RENEWAL PLAN TO EXTEND THE TIME LIMITS ON PLAN
EFFECTIVENESS AND RECEIPT OF TAX INCREMENT
REVENUE BY ONE YEAR**

WHEREAS, the City Council adopted the Central District Urban Renewal Plan (the “Redevelopment Plan”) on June 12, 1969; and

WHEREAS, on December 20, 1994, the Council adopted Ordinance No. 11762 C.M.S., which, among other things, established a time limit of January 1, 2009, on the effectiveness of the Redevelopment Plan and a time limit of January 1, 2019 on the Agency’s ability to pay indebtedness and receive tax increment revenues; and

WHEREAS, these time limits were extended to June 12, 2009, and June 12, 2019, respectively, pursuant to the Twelfth Amendment to the Central District Urban Renewal Plan adopted on July 24, 2001; and

WHEREAS, these time limits were required for redevelopment plans adopted on or before December 31, 1993, under current Health and Safety Code Sections 33333.6(a) and (b); and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C) authorizes the legislative body by ordinance to amend a redevelopment plan to extend the time limits on plan effectiveness and the agency’s ability to pay indebtedness and receive tax increment revenues by one year, if the agency was required to make a payment to the Educational Revenue Augmentation Fund (“ERAF”) under Health and Safety Code Section 33681.9 during fiscal year 2003-04; and

WHEREAS, the Agency was required to make a payment to the ERAF during fiscal year 2003-04; and

WHEREAS, the Agency wishes to amend the Redevelopment Plan for the Central District Redevelopment Project to extend the time limits; and

WHEREAS, this action is not subject to the California Environmental Quality Act of 1970 (“CEQA”) because it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment; now, therefore

The Council of the City of Oakland does ordain as follows:

SECTION 1. The third sentence of Subsection E of Section 700 of the Central District Urban Renewal Plan is hereby amended to read as follows (deletions are indicated with strikeout text, and additions with double underlining): "The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, until June 12, ~~2009~~ 2010, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment."

SECTION 2. The sixth sentence of Subsection C of Section 600 of the Central District Urban Renewal Plan is hereby amended to read as follows (deletions are indicated with strikeout text, and additions with double underlining): "The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, ~~2019~~ 2020, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment."

SECTION 3. The City Manager or his or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action.

SECTION 4. 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 this Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

SECTION 5. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter, if adopted by at least six members of Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 20 2004, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, ~~REID~~, WAN, AND PRESIDENT DE LA FUENTE - 7

NOES- Ø

ABSENT- REID - 1

ABSTENTION- Ø

Introduction Date:

JUL 6 2004

ATTEST:



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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NOTICE AND DIGEST

This ordinance amends the Central District Urban Renewal Plan to extend the time limits in the Plan for Plan effectiveness and the ability of the Redevelopment Agency to pay indebtedness and receive tax increment revenues by one year, as authorized under Health and Safety Code Section 33333.6(e)(2)(C).