

ORDINANCE NUMBER 1247

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ELIMINATING THE EXISTING TIME LIMIT ON INCURRING DEBT FOR THE REDEVELOPMENT PROJECT - 1987

WHEREAS, the City Council of the City of Perris (the "City Council"), adopted Ordinance No. 687 on June 29th 1987, approving and adopting the Redevelopment Plan (the "Original Redevelopment Plan") for the Redevelopment Project-1987; and

WHEREAS, the City Council amended the Original Redevelopment Plan (a) on December 12, 1994, pursuant to Ordinance No. 996, to add limitations prescribed by AB 1290 and (b) on September 27, 2005 by Ordinance No. 1171, to extend certain limitations allowed by SB 1045 (the Original Redevelopment Plan, as amended, is referred to herein as the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Agency of the City of Perris (the "Agency"), has been designated as the official redevelopment agency in the City of Perris to carry out the functions and requirements of the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*) (the "Law") and to implement the Redevelopment Plan; and

WHEREAS, Section 33333.6 of the Health and Safety Code was amended by Senate Bill 211 which took effect on January 1, 2002, to provide that the legislative body may amend a redevelopment plan to eliminate the time limit on the establishment of loans, advances, and indebtedness for any project area adopted, or area added to a project area, prior to December 31, 1993; and

WHEREAS, in adopting an ordinance pursuant Section 33333.6(e)(2)(B), neither the legislative body nor the agency is required to comply with Section 33354.6, Article 12, (commencing with 33450) or any other provision of the Law relating to the amendment of redevelopment plans, except that the Agency shall make the payment to affected taxing entities as required by 33607.7; and

WHEREAS, the Agency and the City Council desire to amend the Redevelopment Plan pursuant to the authority granted in Section 33333.6(e)(2)(B).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. The time limit for establishing loans, advances and indebtedness as set forth in the Redevelopment Plan for the Redevelopment Project-1987 is hereby eliminated.

Section 3. The second paragraph of Section 540 of the Redevelopment Plan, as amended by Ordinance 996 and Ordinance 1171, is hereby deleted in its entirety and amended to read as follows:

“No Time Limit on Incurring Debt. The time limit with respect to the establishment of loans, advances and indebtedness is eliminated in compliance with California Health and Safety Code Section 33333.6(e)(2)(B).”

Section 4. Except as amended hereby, the Redevelopment Plan shall remain in full force and effect according to its terms.

Section 5. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency.

Section 6. Pursuant to CEQA Guidelines Section 15378(b)(2), (4) and (5), adoption of the amendment is not a "project," and is therefore exempt from the California Environmental Quality Act (“CEQA”) review, and the City Manager or City Clerk is hereby directed to file such notices as may be required by CEQA.

Section 7. All required proceedings and considerations precedent to adoption of this Ordinance have been regularly taken in accordance with applicable law. 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 City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 8. This Ordinance shall take effect 30 days after its adoption. The City Clerk is authorized and directed to publish this Ordinance or a summary thereof in the manner provided by law and in accordance with procedures normally taken.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 26th day of August 2008.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Ordinance Number 1247 introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of August, 2008 and was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 30th day of September, 2008, and that it was so adopted by the following vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

ABSENT:

City Clerk, Judy L. Haughney