

**ORDINANCE NO. 3352 C.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY AMENDING CERTAIN TIME LIMITATIONS WITH RESPECT TO THE REDEVELOPMENT PLAN FOR THE CUSTOM HOUSE PROJECT AREA.**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1: The City Council of the City of Monterey approved and adopted the Redevelopment Plan for the Custom House Redevelopment Project of the Redevelopment Agency of the City of Monterey by the City's Ordinance No. 1255, adopted on July 5, 1961.

SECTION 2: On July 6, 1965, the City Council, pursuant to Ordinance No. 1449 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 3: On July 5, 1967, the City Council, pursuant to Ordinance No. 1571 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 4: On July 7, 1970, the City Council, pursuant to Ordinance No. 1737 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 5: On November 21, 1972, the City Council, pursuant to Ordinance No. 1867 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 6: On March 4, 1980, the City Council, pursuant to Ordinance No. 2331 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 7: On April 6, 1982, the City Council, pursuant to Ordinance No. 2445 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 8: On July 1, 1986, the City Council, pursuant to Ordinance No. 2712 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 9: On May 17, 1988, the City Council, pursuant to Ordinance No. 2872 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 10: On September 20, 1988, the City Council, pursuant to Ordinance No. 2894 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 11: On November 15, 1994, the City Council, pursuant to Ordinance No. 3163 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text of the Redevelopment Plan.

SECTION 12: On February 17, 2004, the City Council, pursuant to Ordinance No. 3337 of the City, approved and adopted an amendment to the Redevelopment Plan making certain changes to the text to the Redevelopment Plan.

SECTION 13: Pursuant to Health and Safety Code Section 33681.12, which was added by SB 1096 which took effect on August 5, 2004, the Agency is required during the 2004-05 and 2005-06 fiscal years to make a payment for deposit in Monterey County's Educational Revenue Augmentation Fund; and

SECTION 14: Pursuant to Health and Safety Code Section 33333.2, which was amended by SB 1096 to provide that when an agency is required to make a payment pursuant to Section 33681.12, the legislative body may amend the redevelopment plan to extend by one year for each year of payment the time limit of the effectiveness of the plan and the time limit to repay indebtedness.

SECTION 15: The time limit on the effectiveness of the Redevelopment Plan of the Custom House Project Area, as set forth in Article XI as established by Ordinance No. 3337 of the City, shall be amended as follows: "...the effectiveness of this Plan shall terminate on March 4, 2023..."

SECTION 16: The Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 after ten (10) years from the termination of the effectiveness of the Redevelopment Plan. Based upon the termination date established in Section 15 of this Ordinance, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 after March 4, 2033.

SECTION 17: The City Council states that the major housing requirements are being met by the City, 20% of gross tax increment has been set aside, housing implementation plans are in place, replacement housing and inclusionary housing requirements are being met and no excess surplus exists.

SECTION 18: Ordinance No. 3337 is continued in full force and effect except as amended by this Ordinance.

SECTION 19: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 20: The City Clerk shall certify to the adoption of this Ordinance and is hereby directed to publish this Ordinance in accordance with law.

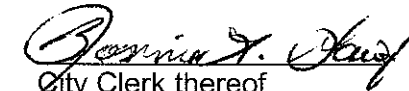
PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 19<sup>th</sup> day of April 2005, by the following votes:

AYES:	4	COUNCILMEMBERS:	ALBERT, DELLA SALA, DOWNEY HAFERMAN
NOES:	0	COUNCILMEMBERS:	NONE
ABSENT:	1	COUNCILMEMBERS:	ROBERSON

APPROVED:

  
Mayor of Said City

ATTEST:

  
City Clerk thereof

STATE OF CALIFORNIA )  
COUNTY OF MONTEREY )  
CITY OF MONTEREY )

PUBLICATION DATE: April 10, 2005

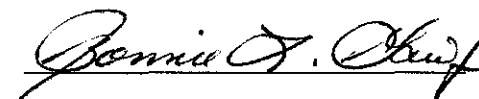
I, Bonnie L. Gawf, CITY CLERK OF THE CITY OF MONTEREY, AND EX-OFFICIO CLERK OF THE COUNCIL THEREOF, HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS DULY PASSED TO PRINT IN THE OFFICIAL NEWSPAPER OF SAID CITY BY THE COUNCIL THEREOF ON THE 5<sup>th</sup> day of April 2005, BY THE FOLLOWING VOTE:

AYES: 5 COUNCILMEMBERS: ALBERT, DELLA SALA, DOWNEY, HAFERMAN,  
ROBERSON

NOES: 0 COUNCILMEMBERS: NONE

ABSENT: 0 COUNCILMEMBERS: NONE

DATED: April 6, 2004

  
CITY CLERK OF SAID CITY