ORDINANCE NO. 1537

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, REPEALING ORDINANCE NO. 1530 WHICH DETERMINED THE CITY WOULD COMPLY WITH THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE REDEVELOPMENT AGENCY OF THE CITY OF WOODLAND

WHEREAS, the City Council of the City of Woodland ("City") approved and adopted the Redevelopment Plan for the Woodland Redevelopment Project ("Redevelopment Plan") covering certain properties within the City (the "Project Area"); and

WHEREAS, the Redevelopment Agency of the City of Woodland ("Agency") was engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

WHEREAS, as part of the 2011-2012 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacted an ordinance committing it to make certain payments; and

WHEREAS, specifically, AB 1X 26 prohibited agencies from taking numerous actions, and additionally provided that agencies were deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 1X 27 provided that a community may participate in an "Voluntary Alternative Redevelopment Program," in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

WHEREAS, the Voluntary Alternative Redevelopment Program provided for under AB 1X 27 required that the community agree by ordinance to remit specified annual amounts to the county auditor-controller; and

WHEREAS, under the threat of dissolution pursuant to AB 1X 26, the City adopted Ordinance No.1530 on July 19, 2011 ("Ordinance No. 1530"), determining it would comply with the Voluntary Alternative Redevelopment Program and would make the annual community remittances in accordance with AB 1X 27; and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (California Redevelopment Association, et al. v. Ana Matosantos, et al., Case No. 5194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies; and

WHEREAS, on December 29, 2011, the Supreme Court issued its final decision in the aforesaid litigation, upholding AB 1X 26, invalidating AB 1X 27, and extending all statutory deadlines under AB 1X 26, essentially dissolving all redevelopment agencies throughout the State effective February 1, 2012; and

WHEREAS, in light of the Supreme Court decision referenced above, the City Council desires to repeal its prior approval of Ordinance No. 1530, effectively rescinding its prior determination to comply with the Alternative Voluntary Redevelopment Program and make the annual community remittances in accordance with AB 1X 27; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

<u>Section 2.</u> <u>Repeal of Ordinance No. 1530</u>. The City Council hereby repeals, vacates and sets aside its approval of Ordinance No. 1530.

Section 3. Certification; Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Woodland, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days from its adoption.

PASSED AND ADOPTED by the City Council this 7th day of February 2012, by the following vote:

AYES:

Council Members Davies, Dote, Marble, Stallard and Pimentel

NOES:

None

ABSENT: ABSTAIN:

None None

Artemio Pimentel, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Andrew J. Morris, City Attorney