



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 03/16/04

AGENDA ITEM 2

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** Adoption of an Ordinance Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Downtown Redevelopment Project

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Ordinance.

**BACKGROUND:**

The ordinance was introduced at the March 9, 2004, meeting of the City Council with the following vote:

**AYES:** Council Members: Jimenez, Hilson, Rodriquez, Ward, Dowling, Henson  
Mayor: Cooper  
**NOES:** Council Members: None  
**ABSENT:** Council Members: None  
**ABSTAIN:** Council Members: None

The ordinance was published in the Hayward Daily Review on March 13, 2004. Adoption at this time is therefore appropriate.

Prepared by:

  
\_\_\_\_\_  
Angelina Reyes, City Clerk

Approved by:

  
\_\_\_\_\_  
Jesús Armas, City Manager

Draft Ordinance

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY  
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA, AMENDING CERTAIN  
TIME LIMITATIONS WITH RESPECT TO THE REDEVELOPMENT PLAN FOR THE  
DOWNTOWN REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of Hayward, California (the "City Council"), adopted Ordinance No. 75-029 on December 30, 1975 approving and adopting the Redevelopment Plan (the "Redevelopment Plan") for the Downtown Hayward Redevelopment Project (the "Project"); and

WHEREAS, on December 6, 1986, the City Council adopted Ordinance No. 86-041, amending section VE pertaining to property acquisition and sections VIII A and B concerning the methods of financing; and

WHEREAS, on April 21, 1987, the City Council adopted Ordinance No. 87-009, adding Project Expansion Area No. 1 to the Redevelopment Project Area; and

WHEREAS, on July 28, 1992, the City Council adopted Ordinance No. 92-21, making certain technical changes to the Redevelopment Plan; and

WHEREAS, on December 20, 1994, the City Council adopted Ordinance No. 94-30, establishing certain limitations with respect to the Redevelopment Plan; and

WHEREAS, on November 10, 1998, the City Council adopted Ordinance No. 98-16, adding Project Expansion Area No. 2 to the Redevelopment Project Area; and

WHEREAS, on June 25, 2001, the City Council adopted Ordinance No. 01-07, adding Project Expansion Area No. 3 to the Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the City of Hayward, California (the "Agency"), has been designated as the official redevelopment agency in the City of Hayward 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.) and to implement the Redevelopment Plan; and

WHEREAS, Section 33681.9 of the Health and Safety Code was added by SB 1045 which took effect on September 1, 2003, which requires the Agency during the 2003-04 fiscal year to make a payment for deposit in Alameda County's Educational Revenue Augmentation Fund; and

WHEREAS, Section 33333.6 of the Health and Safety Code was amended by SB 1045 to provide that when an agency is required to make a payment pursuant to Section 33681.9 the legislative body may amend the redevelopment plan to extend by one year the time limit of the effectiveness of the plan and the time limit to repay indebtedness.

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

Original Project Area  
Project Expansion Area No. 1

December 30, 2026  
December 30, 2026

With respect to Project Expansion Nos. 2 and 3, the Agency shall not repay indebtedness with the proceeds of taxes received pursuant to Health and Safety Code Section 33670 after forty-six (46) years from the adoption of the amendments to the Redevelopment Plan adding those Project Expansion Areas, respectively:

Project Expansion Area No. 2  
Project Expansion Area No. 3

November 10, 2044  
June 25, 2047

Section 3. Ordinance Nos. 75-029, 86-041, 87-009, 92-21, 94-30, 98-16 and 01-07 are continued in full force and effect except as amended by this Ordinance.

Section 4. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency.

Section 5. 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 6. The City Clerk will certify to the passage of this Ordinance by the City Council of the City of Hayward, California, and cause the same to be published once in the Daily Review, a newspaper of general circulation, published and circulated in the City of Hayward, and it will take effect thirty (30) days after its final passage.

Introduced at a regular meeting of the Hayward City Council held March 9, 2004, the above-entitled ordinance was introduced by Council Member Ward.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on March 16, 2004, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

DATED: March 13, 2004

Angelina Reyes, City Clerk  
City of Hayward