

ORDINANCE NO. 2007-18

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF ESCONDIDO, CALIFORNIA, CONTAINING
A DESCRIPTION OF THE ESCONDIDO
REDEVELOPMENT AGENCY'S AUTHORITY TO
ACQUIRE REAL PROPERTY BY EMINENT DOMAIN
IN THE ESCONDIDO REDEVELOPMENT PLAN

NOW, THEREFORE, the City Council of the City of Escondido, California, DOES
HEREBY ORDAIN as follows:

SECTION 1. That proper public hearings have been noticed and public hearings
have been held before the City Council on these issues.

SECTION 2. The City Council of the City of Escondido, California ("City Council")
adopted Ordinance No. 84-180 on July 11, 1984 creating the Escondido
Redevelopment Agency ("Agency").

SECTION 3. The Redevelopment Agency of the City of Escondido has been
designated as the official redevelopment agency in the City of Escondido to carry out
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.

SECTION 4. The City of Escondido's Redevelopment Plan was approved on
December 19, 1984 by Resolution No. RDA 84-19.

SECTION 5. Section 33342.7 of the Health and Safety Code, which was added
by Senate Bill 53 ("SB 53"), which took effect on January 1, 2007 requires a legislative
body that adopted a redevelopment plan prior to January 1, 2007 to adopt an ordinance
containing a description of the agency's authority to acquire real property by eminent
domain, whether or not the agency has authority to use eminent domain in a project
area.

SECTION 6. On July 11, 1984, City Council passed Ordinance No. 84-180, which states that the Agency will have no authority to acquire real or personal property by eminent domain or condemnation.

SECTION 7. In compliance with Health and Safety Code Section 33342.7, the City of Escondido hereby describes that the Agency does not have eminent domain authority.

SECTION 8. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency.

SECTION 9. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in the North County Times, a newspaper of general circulation, printed and published in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 15th day of August, 2007 by the following vote to wit:

AYES : Councilmembers: DANIELS, GALLO, WALDRON, PFEILER

NOES : Councilmembers: NONE

ABSENT : Councilmembers: ABED

APPROVED:



LORI HOLT PFEILER, Mayor of the City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, MARSHA WHALEN, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2007-18 passed at a regular meeting of the City Council of the City of Escondido held on the 15th day of August, 2007, after having been read at the regular meeting of said City Council held on the 8th day of August, 2007.



MARSHA WHALEN, City Clerk of the City of Escondido, California

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