

R

ESCONDIDO CITY COUNCIL

ORDINANCE NO. 84-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO
APPROVING AND ADOPTING THE ESCONDIDO REDEVELOPMENT PLAN AND
PROJECT AREA

THE CITY OF ESCONDIDO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. On July 11, 1984 the Escondido City Council adopted Ordinance No. 84-46 creating the Escondido Redevelopment Agency for the purpose of pursuing redevelopment activities in the community.

Section 2. On July 18, 1984 the City Council further adopted Resolution No. 84-186 captioned:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO DESIGNATING CERTAIN REAL PROPERTIES AS BEING INCLUDED WITHIN A SURVEY AREA FOR REDEVELOPMENT CONSIDERATIONS; AND DIRECTING STAFF, THE PLANNING COMMISSION, AND REDEVELOPMENT AGENCY TO PREPARE THE NECESSARY PUBLIC HEARINGS AND PREPARE THE NECESSARY REPORTS FOR CONSIDERATION AND ADOPTION OF ESCONDIDO REDEVELOPMENT PROJECT AREA(S) AND PLAN(S)"

Section 3. The Planning Commission of the City of Escondido, in conjunction with the Escondido Redevelopment Agency has, by Resolution No. 3918 designated the Escondido Redevelopment Project Area.

Section 4. The Escondido Redevelopment Agency by Resolution No. 84-12 approved on September 19, 1984, and the Planning Commission of the City of Escondido by Resolution No. 3950 approved on October 23, 1984 have prepared and approved a Preliminary Redevelopment Plan for the Escondido Redevelopment Project Area.

Section 5. The Escondido City Council has received from the Escondido Redevelopment Agency the proposed Redevelopment Plan for the Redevelopment Project, as approved by the Agency, a copy of which is on file at the office of the Agency at 100 Valley Boulevard, Escondido, California, and at the office of the City Clerk, City Hall, 100 Valley Boulevard, Escondido, California, together with the Report of the Agency including the reasons for the selection of the Project Area, a description of the physical, social, and economic conditions existing in the Project Area, the proposed method of financing the redevelopment

of the Project Area, a plan for the relocation of business owners and tenants who may be temporarily or permanently displaced from the Project Area, an analysis of the Preliminary Plan, the report and recommendations of the Planning Commission and the Project Area Committee of the City of Escondido, an Environmental Impact Report on the Redevelopment Plan, the report of the County Fiscal Officer and the Agency's analysis thereof, and a neighborhood impact report.

Section 6. The Planning Commission has submitted to the City Council its report and recommendations for approval of the Redevelopment Plan, and its certification that the Redevelopment Plan conforms to the General Plan for the City of Escondido, and the Citizens Advisory Committee (Project Area Committee) has submitted to the City Council its report and recommendations for approval of the Redevelopment Plan.

Section 7. The Escondido Redevelopment Agency has found and determined that the Escondido Redevelopment Project Area is characterized by the conditions of blight which are hereinafter set forth. These conditions represent physical, social, and economic liabilities which require a redevelopment plan in order to properly provide for the revitalization, redevelopment, and development of these properties in a manner which is consistent with, and in the interest of, general welfare. In addition, the Redevelopment Plan shall be a guideline for implementing the objectives set forth hereinafter so as to insure that the policies, goals, and objectives of the Escondido Redevelopment Agency, the Escondido City Council, and the laws of the State of California are complied with and implemented in a manner which is most in keeping with the general welfare.

The blight characterized in the Escondido Redevelopment Project Area constitutes a physical, social, or economic liability in the community requiring redevelopment in the interest of the health, safety, and general welfare of the people of the community, and further that this blight is causing a reduction of, or lack of, proper utilization of the area to such an extent that it constitutes a serious physical, social, or economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone.

Section 8. The conditions of blight which exist in the Escondido Redevelopment Project Area include, but are not limited to:

- a) Inadequate street system to serve potential parking, circulation, and loading demand of the Central Business District and the Civic Center/Cultural Facility;
- b) Inadequate street lighting, lack of curbs and gutters, and poor public improvements and facilities.
- c) The need for additional public and private utilities in order to accommodate the development of properties within the Project Area boundaries, including the need for additional storm drain facilities.
- d) The lack of proper utilization of many properties within the Project Area boundaries resulting in development constraints on a number of these properties, thus producing a stagnate and unproductive condition of land which is otherwise potentially useful and valuable.
- e) The unimproved, defective, and/or inadequate construction of street improvements and public/private utilities within the Project Area which has resulted from the uncoordinated development pattern of certain of the properties within the Project Area.
- f) The lack of adequate public facilities, including open space and other places of recreational and cultural activity which are necessary to serve the property within the Project Area boundaries.
- g) The lack of development or redevelopment within the Project Area which has resulted because of the inadequacy of the required public facilities and services necessary to accommodate the redevelopment of the area in cooperation with the private sector.
- h) The presence of vacant and viable residential, industrial and commercial property whose development has been impeded due to an infrastructure community system which is not fully designed and developed to a standard acceptable for development.
- i) A street pattern which is inadequate to provide for safe and efficient vehicular, pedestrian, and bicycle circulation, including the lack or unacceptability of street bridges.
- j) The inadequate and/or inefficient use of flood control canals and public utility easements which traverse the Project Area boundaries and which increasingly become physical barriers and barren parcels of property which physically blight the immediately adjacent properties and the remainder of the properties within the Project Area.
- k) Inadequate planning of the freeways and major highways which traverse the Project Area with the corresponding failure to provide for the physical and social needs of those persons and properties which are adjacent to, and in close proximity with, the freeways and major highways. In this regard, it is obvious that the noise, debris, and other pollutants which are generated by the freeways and major highways are blighting conditions which negatively impact the property within the Project Area. Provision must be made to minimize or eliminate those conditions and to insure compatibility between the properties adjacent to, and in close proximity with, the freeways and major highways.
- l) The inability of the City and/or County to wholly finance and construct a regional governmental and cultural center for the North San Diego County area. Without such a facility, the governmental, cultural, and social needs of the City of Escondido and the North County area will not be met, and the Central Business District of the City will decline due to the outflow of commercial activity.

- m) The existence of vacant retail structures (i.e. automobile dealership and general retail merchandise) due to a relocation trend that has resulted from the need to have larger, more modern and/or accessible facilities.

Section 9. The Escondido City Council does determine and declare that the City Council's purpose and intent with respect to adopting the Escondido Redevelopment Plan and Project Area is:

- a) The elimination of existing blighted conditions, be they properties or structures, and the prevention of recurring blight in and about the Project Area.
- b) The development of property within a coordinated land use pattern of residential, commercial, industrial, recreational, and public facilities in the Project Area consistent with the goals, policies, objectives, standards, guidelines, and requirements as set forth in the City's adopted General Plan and Zoning Ordinance.
- c) The development of public services and facilities including, but not limited to, recreational, maintenance, and operational services and facilities as are necessary and required for the development of the Project Area.
- d) The elimination of environmental deficiencies including inadequate street improvements, inadequate utility systems, and inadequate public services; and mitigation of freeway or highway impacts, including its circulation, movement and its potential social, physical, and environmental characteristics of blight.
- e) The development of a more efficient and effective circulation corridor system free from hazardous vehicular, pedestrian, and bicycle interfaces and designed to their ultimate circulation flow.
- f) The implementation of techniques to mitigate blight characteristics resulting from exposure to freeway, highway, and public right-of-way corridor activity and affecting adjacent properties within the Project Area.
- g) Beautification activities to eliminate all forms of blight including, but not limited to, visual blight, in order to encourage community identity.
- h) The encouragement, promotion, and assistance in the development and expansion of local commerce and needed commercial and industrial facilities, increasing local employment prosperity, and improving the economic climate within the Project Area, and the various other isolated vacant and/or underdeveloped properties within the Project Area.
- i) The acquisition, assemblage, and/or disposition of sites of usable and marketable sizes and shapes for commercial, industrial, recreational, and public facility development within the Project Area.
- j) The creation of a more cohesive and unified community by strengthening the physical, social, and economic ties between residential, commercial, industrial, and recreational land uses within and about the Project Area.
- k) The acquisition and disposition of property for the purpose of providing relocation housing, as may be required, to implement the objectives of this Plan.
- l) To provide for very low-, low- and moderate-income housing availability as required by County, Region, or State law and requirements, as

necessary and desirable, consistent with the goals and objectives of the community.

- m) To encourage the coordination, cooperation, and assistance of other local agencies, as may deemed necessary, to ensure that projects undertaken by this Agency are implemented to their fullest and practical extent.
- m) The achievement of a physical environment reflecting a high level of concern of architectural and urban design principles deemed important by the community.
- o) To encourage community involvement and citizen participation in the adoption of policies, programs, and projects so as to ensure that the Redevelopment Plan is implemented in accordance with the objectives and goals of the General Plan.
- p) To provide a procedural and financial mechanism by which the Agency can assist, complement, and coordinate public and private development, redevelopment, revitalization, and enhancement of the community.
- q) To assist and supplement the financing and construction of the Escondido Civic Center and Cultural facilities, and to enhance the economic climate of the City's Central Business District.

Section 10. In conjunction with the City Council's overall redevelopment intent and purpose, the City Council does declare the following general land utilization objectives:

- a) To encourage the development of well-planned and quality designed residential, commercial, and industrial development which meets the adopted high standards of this community.
- b) To provide for sufficient land area within the Project Area for appropriate types of commercial and industrial development, properly located to provide services and goods to meet the commercial and industrial needs of the area, the community, and the region.
- c) To provide for required community facilities and open space including parks and recreational facilities.
- d) To provide an adequate traffic circulation and control system within the Project Area so as to provide for efficient and safe movement of people, goods, and services in conformance with the General Plan.
- e) To provide for the installation and improvement of streets, public utilities, sewer, and water services necessary to the ultimate development of the Project Area.
- f) To provide the direction, purpose, and climate for combined public and private investment which will result in benefits to the community as a whole.
- g) To provide for site location, ultimate development, and/or expansion of civic and public buildings, facilities, and services.
- h) To provide for the beautification and revitalization of the Project Area enabling the community to further establish an identity and a quality of life which is desired by its citizens and businessmen.
- i) To provide assistance, enticements, and encouragement to ensure that the Project Area is developed to its fullest and ultimate usage, ensuring that the standards and requirements of the Municipal Code and the policies, goals, and objectives of the General Plan are met.

- j) To provide a smooth plan that implements the transitional character of neighborhoods from lower to high intensity uses as a result of recycling of properties.

Section 11. The Council and the Agency held a joint public hearing on December 19, 1984 on the adoption of the Redevelopment Plan, and the certification of the Final Environmental Impact Report on the Redevelopment Plan, in the Gymnasium of the Escondido High School, 1535 North Broadway, Escondido, California.

Section 12. A notice of said hearings was duly and regularly published in the Times Advocate, a newspaper of general circulation in the City of Escondido, and once a week for four successive weeks prior to the date of said hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Agency; copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the last known address of each assessee, as shown on the last equalized assessment roll of the County of San Diego, of each parcel of land in the proposed Project Area; each assessee in the Project Area was sent a separate statement, attached to the notice of joint public hearing, that no property in the Project Area is subject to acquisition by eminent domain or condemnation under the provisions of the Redevelopment Plan; and copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Project Area.

Section 13. The Agency has prepared and submitted a program for the relocation of persons and businesses who may be displaced as a result of carrying out the Project in accordance with the Redevelopment Plan; and the Council has general knowledge of the conditions existing in the Project Area and of the availability of suitable housing in the City for the relocation of families and persons who may be displaced by the Project, and in the light of such knowledge of local housing conditions, has carefully considered and reviewed such program for relocation.

Section 14. The Council has considered the report and recommendations of the Planning Commission and the Project Area Committee, the report of the Agency,

the Redevelopment Plan, and its economic feasibility, the feasibility of the relocation program, and the Environmental Impact Report, has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for or against any and all aspects of the Redevelopment Plan.

Section 15. The Agency and Council have reviewed and considered the Final Environmental Impact Report for the Redevelopment Plan, prepared and submitted pursuant to Public Resources Code Section 21151 and Health and Safety Code Section 33352, and certified the completion of said Environmental Impact Report on December 19, 1984, by Redevelopment Agency Resolution No. RDA 84-17 and City Council Resolution No. 84-363.

Section 16. The proposed Escondido Redevelopment Plan and Project Area, after public hearing and as recommended by the Escondido Redevelopment Agency, the Escondido Planning Commission, and the Project Area Committee is hereby approved, adopted, and designated as the official Escondido Redevelopment Plan and Project Area for the City of Escondido.

Section 17. The City Council acknowledges receipt of and files:

- a. Resolution 8035 of the Board of Directors of the Metropolitan Water District of Southern California.

electing to be allocated certain revenues attributable to any increase in these District's tax rates which may occur after the tax year in which this Ordinance becomes effective pursuant to Section 33676 of the California Health and Safety Code and has provided for such allocation in accordance with Section 700.70 of the Escondido Redevelopment Plan. Further, the Escondido Redevelopment Agency and the City Council of the City of Escondido approved agreements with the following affected taxing jurisdictions in order to mitigate or alleviate those fiscal impacts which may affect these taxing jurisdictions as a result of the adoption or implementation of the Redevelopment Plan.

- a. County of San Diego
- b. Escondido Union School District
- c) Escondido Union High School District
- d) San Marcos Unified School District
- e) Palomar/Pomerado Hospital District
- f) County of San Diego Department of Education
- g) North County Cemetery District

- h) Rincon del Diablo Municipal Water District
- i) Palomar Community College District

Section 18. All other written and oral objections to the Escondido Redevelopment Plan and Project Area are hereby overruled.

Section 19. The Redevelopment Plan shall hereinafter be referred to as the "Escondido Redevelopment Plan," and the Project Area shall hereinafter be referred to as the "Escondido Redevelopment Project Area."

Section 20. The Escondido City Council hereby finds and determines that:

- a) It is necessary and/or desirable to adopt the Escondido Redevelopment Plan and Project Area to encompass the property referred to in the Escondido Redevelopment Plan and to authorize the development and/or construction of such facilities and/or improvements as are set forth in the same Escondido Redevelopment Plan.
- b) The Escondido Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purpose declared in the California Community Redevelopment Law (Health and Safety Code Section 33000 et. seq.). The finding is based upon the following conditions which characterize the Project Area:
 - (1) The existence of unfit or unsafe buildings and structures due to age, obsolescence, faulty exterior spacing and mixed character, and shifting of uses.
 - (2) The existence of properties which suffer from deterioration and disuse because of: inadequate public improvements, facilities, and utilities, including inadequate and insufficient traffic circulation, drainage, water distribution, sewers, and lots (parcels) of irregular form, shape, and size, which cannot be remedied with private or governmental action without redevelopment.
 - (3) The existence of properties which suffer from economic dislocation, deterioration, and disuse resulting from faulty planning.
 - (4) A lack of proper utilization of property, resulting in a stagnant and unproductive condition of land potentially useful and valuable.

It is further found and determined that such conditions are causing, and will increasingly cause, a reduction and lack of proper utilization of the area to such an extent that it constitutes a serious physical, social, and economic burden on the City which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone, requiring redevelopment in the interest of the health, safety, and general welfare of the people of the City and the State. This finding is based on the fact that governmental action available to the City without redevelopment would be insufficient to cause any significant correction of the blighting conditions, and that the nature and costs of the public improvements and facilities required to correct the blighting conditions are beyond the capacity of the City and cannot be undertaken or borne by private enterprise acting alone or in concert with available governmental action.

- c) The Escondido Redevelopment Plan will provide for redevelopment of properties within the Escondido Project Area boundaries in a manner conforming with the California Community Redevelopment Law and in the interests of the public peace, health, safety, and general welfare. This finding is based upon the fact that redevelopment of the Project

Area will implement the objectives of the Community Redevelopment Law by aiding in the elimination and correction of the conditions of blight, providing for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement and providing for higher economic utilization of potentially useful land.

- d) The adoption and carrying out of the Escondido Redevelopment Plan is economically sound and feasible since it is based upon the Escondido Preliminary Redevelopment Plan which has been shown to be both economically sound and feasible as a financing mechanism for the Escondido Redevelopment Agency. This finding is based on the fact that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.
- e) The Escondido Redevelopment Plan conforms to the General plan of the City of Escondido. This finding is based on the findings of the Planning Commission that the Redevelopment Plan conforms to the General Plan for the City of Escondido.
- f) The carrying out of the Escondido Redevelopment Plan will promote the public peace, health, safety, and general welfare of the community and will effectuate the purposes and policy of the California Community Redevelopment Law. This finding is based on the fact that redevelopment will benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic, social, and physical conditions of the Project Area.
- g) The condemnation of real property is not authorized to be used by the Escondido Redevelopment Agency Redevelopment Plan. This finding is based upon the provisions of Section 600.31 of the Redevelopment Plan
- h) The relocation of persons or businesses is not anticipated or at best would be minimal. However, the Redevelopment Agency has a feasible method or plan for the relocation of families and persons who might be temporarily or permanently displaced from the Project Area through the implementation of the Escondido Redevelopment Plan. This finding is based upon the fact that the Redevelopment Plan provides for relocation assistance according to law.
- i) There are or are being provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of, and available to, such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that no person or family will be required to move from any dwelling unit until suitable replacement housing is available.
- j) Inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or general welfare is necessary for the effective redevelopment of the Project Area of which they are a part; and that such areas included are necessary for effective redevelopment in the community and are not included for the purpose of obtaining the allocation of tax increment revenues from such areas pursuant to Section 33670 of the California Health and Safety Code without other substantial justification for the inclusion. This finding is based upon the fact that the boundaries of the Project Area, were chosen as a unified and consistent whole to include lands that were underutilized because of blighting influences, or affected by the existence of blighting influences, and land uses significantly contributing to the conditions of blight, whose inclusion is necessary to accomplish the objectives and benefits of the Redevelopment Plan.
- k) The elimination of blight and the redevelopment of the Project Area could not be reasonably expected to be accomplished private enterprise

acting alone without the aid and assistance of the Redevelopment Agency. This finding is based upon the existence of blighting influences, including the lack of adequate public improvements and facilities, and the inability of individual developers to economically remove these blighting influences without substantial public assistance in providing adequate public improvements and facilities, the inability of low- and moderate-income persons to finance needed improvements, and the inadequacy of other governmental programs and financing mechanisms to eliminate the blight, including the provision of necessary public improvements and facilities.

- l) The Redevelopment Plan for the Project Area will afford the maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of such area by private enterprise.
- m) The Redevelopment Plan contains adequate safeguards so that the work of redevelopment will be carried out pursuant to the Redevelopment Plan, and it provides for the retention of controls and the establishment of restrictions and covenants running with the land sold or leased for private use for periods of time and under conditions specified in the Redevelopment Plan, which this City Council deems necessary to effectuate the purposes of the Community Redevelopment Law.

Section 21. The City Council, although it does not contemplate the relocation of residents, is satisfied that within the Project Area boundaries or within the greater community, permanent housing facilities either exist or will be available within three years of the time occupants of the Project Area are displaced, and pending the development of such facilities, there will be adequate housing available to such displaced occupants at rents comparable to those in the community at the time of their displacement. No persons or families of low- or moderate-income shall be displaced from from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The Agency shall not displace any such persons or families until such housing units are available and ready for occupancy.

Section 22. The City Council acknowledges that not less than twenty percent (20%) of the revenue derived from the allocation of taxes, pursuant to Section 33670 of the California Health and Safety Code, from the Project Area shall be used by the Redevelopment Agency for the purpose of increasing and improving the community's supply of housing for persons and families of low or moderate income, and very low-income households unless, through the implementation of the Redevelopment Plan, one of the following findings are made:

- a) That no need exists in the community, the provision of which would benefit the Project Area to improve or increase the supply of housing for persons and families of low or moderate income or very low-income households; or
- b) That some stated percentage less than twenty percent (20%) of the taxes which are allocated to the Redevelopment Agency is sufficient to meet such housing need; or
- c) That a substantial effort to meet low- and moderate-income housing needs in the community is being made and that this effort, including the obligation of funds currently available for the benefit of the community from state, local, and federal sources for low- and moderate-income housing alone, or in combination with these revenue allocations, is equivalent in impact to the funds otherwise required to be set aside pursuant to this Section. The City Council shall consider the need of low- or moderate-income or very low-income households from within or adjacent to the Project Area because of increased employment opportunities or because of any other direct or indirect result of implementation of the Redevelopment Plan.

Section 23. The City Council is convinced that the revenues derived from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code are in whole necessary for the effective implementation of the Redevelopment Plan and that the effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving tax increment revenues from the Project Area.

Section 24. In order to implement and facilitate the effectuation of the Escondido Redevelopment Plan which is hereby approved and adopted, it is found and determined that certain official actions all of which are regularly authorized to occur by the City must be undertaken by the City of Escondido with reference to, among other things, the following:

- a) Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include the requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out the Plan.
- b) Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the Project Area.
- c) Revision of zoning within the Project Area to permit the land uses and development authorized by this Plan, provided that such action is consistent with Section 500.10 of the Plan.
- d) Imposition wherever necessary (by Conditional Use Permits or other means) of appropriate controls, within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.

- e) Provision for administrative enforcement of the Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of the Plan.
- f) Performance of the above (and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the development of the Project Area) shall be commenced and carried to completion without unnecessary delays.
- g) The undertaking and completing of any other proceedings necessary to carry out this project.

Section 25. The City Council of the City of Escondido agrees and does hereby:

- a) Pledge its cooperation in helping to carry out the Escondido Redevelopment Plan and requests the various officials, departments, boards, and agencies of the City of Escondido having administrative responsibilities in the premises, likewise to cooperate to such extent and to exercise their respective functions and powers in a manner which is consistent with the Escondido Redevelopment Plan.
- b) Stand ready to consider the taking of appropriate action upon proposals and measures which are designed to effectuate the Escondido Redevelopment Plan.

Section 26. That certain document entitled "Redevelopment Plan for the Escondido Redevelopment Project," the maps contained therein and such other reports as are incorporated therein by reference, a copy of which is on file in the office of the City Clerk, having been duly reviewed and considered, is hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated is hereby designated, approved, and adopted as the official "Redevelopment Plan for the Escondido Redevelopment Project."

Section 27. The City Clerk is directed to send a certified copy of this Ordinance to the Escondido Redevelopment Agency and the Escondido Redevelopment Agency is vested with the responsibility of carrying out the Escondido Redevelopment Plan.

Section 28. The City Clerk is hereby directed to record with the County Recorder of the County of San Diego, a description of the land within the Escondido Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the California Community Redevelopment Law. The Escondido Redevelopment Agency is hereby directed to effectuate recordation of documents in accordance with the provisions of

Section 27295 of the Government code to the extent they are applicable.

Section 29. The Building Department of the City of Escondido is hereby directed, for a period of two years, to advise all applicants for building permits in the Project Area boundaries that the site for which a building permit is being sought for the construction of buildings or for other improvements is within the Escondido Redevelopment Project Area.

Section 30. The City Clerk is directed to transmit a copy of the description and statement recorded by the City Clerk pursuant to Section 28 of this Ordinance, a copy of this Ordinance adopting the Escondido Redevelopment Plan and a map or plate indicating the boundaries of the Project Area to the auditor and tax assessor of the County of San Diego, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area, and to the State Board of Equalization, within thirty (30) days following the adoption of this Ordinance.

Section 31. Severability. If any clause, paragraph, section, subsection, sentence, or portion of this Ordinance or the Escondido Redevelopment Plan or any project provided for therein, is challenged in a court of competent jurisdiction and is thereafter declared to be unconstitutional, illegal, inoperative, or otherwise ineffective, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Escondido hereby declares that it would have adopted this Ordinance and each clause, paragraph, section, subsection, sentence, or portion thereof, or the Escondido Redevelopment Plan or any project provided for therein, irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 32. This Ordinance shall become effective thirty (30) days after its final passage and adoption and the Escondido Redevelopment Agency shall be vested with the responsibility of implementing and carrying out the Escondido Redevelopment Plan and is directed to undertake all activities and/or projects as is provided, authorized, or contemplated in the said Escondido Redevelopment Plan in order to provide for the redevelopment of the Project Area.

Section 33. The City Clerk shall certify to the passage of this Ordinance and cause the same to be published in the Times Advocate, a newspaper of general circulation, published and circulated in the City of Escondido, California and posted in the manner provided by the City of Escondido or appropriate provisions of State law.

Section 34. The Plan as approved by this Ordinance shall hereinafter include the recommended amendments, revisions and/or modifications as are set forth in the Escondido Planning Commission's Report to the City Council of the City of Escondido and the Escondido Redevelopment Agency, and further contained in the Redevelopment Agency's Report to the City Council dated November, 1984.

1227-8/3

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 26th day of December 1984 by the following vote to-wit:

AYES : Councilmembers: BEST, COWAN, HARMON, RADY, THURSTON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:



ERNIE COWAN, Mayor of the City of Escondido, California


ATTEST:



JEANNE BUNCH, City Clerk of the City of Escondido, California

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

I, JEANNE BUNCH, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 84-85 was passed at a regular meeting of the City Council of the City of Escondido, held on the 26th day of December, 1984, after having been read at a regular meeting of said City Council held on the 19th day of December, 1984, and at the regular meeting of said City Council held on said 26th day of December, 1984.


JEANNE BUNCH, City Clerk of the City of Escondido, California

(S E A L)