

CHAIRMAN: ARISTON JULIAN
AGENCY MEMBER: VIRGINIA PONCE
AGENCY MEMBER: LUPE ALVAREZ
VICE CHAIRMAN: JOHN LIZALDE
AGENCY MEMBER: JOHN SABEDRA

EXECUTIVE DIRECTOR: REGAN M. CANDELARIO
AGENCY COUNSEL: DAVID FLEISHMAN
RECORDING SEC.: ROSA NAREZ
CITY TREASURER: PETRONA AMIDO

AGENDA

GUADALUPE COMMUNITY REDEVELOPMENT AGENCY

Regular Meeting
Tuesday, July 26, 2011

(Immediately Following Regular City Council Meeting)

City Hall, Council Chambers
918 Obispo Street, Guadalupe, California 93434

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers and hand the form to the Recording Secretary. **Note:** Staff Reports, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:30 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

1. **CALL TO ORDER.** Chairman Ariston Julian.
2. **ROLL CALL.** Agency Members Lupe Alvarez, Virginia Ponce, John Lizalde, John Sabedra and Chairman Ariston Julian.
3. **PLEDGE OF ALLEGIANCE.**
4. **CONSENT CALENDAR.** The following routine items are presented for Agency approval without discussion as a single agenda item in order to expedite the meeting. Should an Agency Member wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. Minutes for the Regular Agency Meeting of July 12, 2011 to be ordered filed.

5. **COMMUNITY PARTICIPATION FORUM.**

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The RDA may direct Staff to investigate and / or schedule certain matters for consideration at a future RDA Agenda

6. **RECOMMENDATIONS FOR ECONOMIC DEVELOPMENT – PRESENTATION.**

That the Agency Board receive the presentation.

- a. Presentation (Larissa Heeren)
- b. Agency Board discussion and consideration.
- c. It is recommended that the Agency Board receive the presentation.

7. **DISCUSSION ITEM REGARDING OPTIONS FOR THE AGENCY TO ADDRESS SB1X14/AB1X26; SB1X15/AB1X27.** That the Agency Board receives presentation from staff and discusses options for the Agency to address SB1X26/AB1X27.

- a. Written Staff Report (Regan M. Candelario)
- b. Agency Board discussion and consideration.
- c. It is recommended that the Agency Board receives presentation from staff and discusses options for the Agency to address SB1X26/AB1X27.

8. **FUTURE AGENDA ITEMS.**

- a. Royal Theater.
- b. Katayama Clock Estimates.

9. **ANNOUNCEMENTS.**

10. **ADJOURNMENT.**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall display case, the Water Department, the City Clerk's Office and Rabobank not less than 72 hours prior to the meeting. Dated this 22nd day of July 2011.

By:



Regan M. Candelario
Executive Director

MINUTES
GUADALUPE COMMUNITY REDEVELOPMENT AGENCY
Regular Meeting - Tuesday, July 12, 2011
(Immediately Following Regular City Council Meeting)
City Hall, Council Chambers - 918 Obispo Street, Guadalupe, California 93434

1. **CALL TO ORDER.** Chairman Ariston Julian called the meeting to order at 6:42 p.m.
2. **ROLL CALL.** Agency Members Lupe Alvarez, Virginia Ponce, John Sabedra, Chairman Ariston Julian, Vice Chairman ~~John Lizalde~~. John Lizalde was **NOT** present.
3. **PLEDGE OF ALLEGIANCE.** Done.
4. **CONSENT CALENDAR.** The following routine items are presented for Agency approval without discussion as a single agenda item in order to expedite the meeting. Should an Agency Member wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. Minutes for the Regular Agency Meeting of June 28, 2011 to be ordered filed.

Agency Board Member Lupe Alvarez abstains from 4(b) BEC invoice
ALL AGENCY MEMBERS APPROVE ITEM (a): PONCE/SABEDRA
AYES: 4

5. **COMMUNITY PARTICIPATION FORUM.** None.
6. **HABITAT FOR HUMANITY UPDATE.** That the Agency Board receives an update from staff regarding activities associated with Habitat for Humanity.
 - a. Written Staff Report (Regan M. Candelario)
 - b. Agency discussion and consideration.
 - c. It is recommended that the Agency Board receives an update from staff regarding activities associated with Habitat for Humanity.

ITEM TABLED.

7. **FUTURE AGENDA ITEMS.**

- a. Royal Theater.
- b. Katayama Clock Estimates.

8. **ANNOUNCEMENTS.**

Dissolution of Redevelopment options
Declaration letter.

9. **ADJOURNMENT.** Meeting called to a close at 6:43 p.m.

MOTION TO ADJOURN: ALVAREZ/SABEDRA
AYES: 4

**REPORT TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
GUADALUPE
Agency Agenda of July 26, 2011**

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**Prepared by:
Larissa Heeren**

SUBJECT:

RECOMMENDATIONS FOR ECONOMIC DEVELOPMENT IN GUADALUPE: MASTER'S
PROJECT RESEARCH AND RECOMMENDATIONS

RECOMMENDATION:

That the Agency Board receives a presentation from staff regarding recommendations for economic development in Guadalupe.

DISCUSSION:

In the City of Guadalupe several obstacles to economic development commonly associated with rural contexts are present. Guadalupe is a hub for vegetable packaging and cooling operations in the Santa Maria Valley agricultural region. One quarter of Guadalupe residents are employed in the agricultural sector, which is a traditionally low-wage industry. Economic trends indicate however, that the importance of agricultural employment in Guadalupe is declining, mirroring a trend occurring in rural economies across the country. The proportion of total jobs attributed to agriculture shrank by 30% between 1990 and 2009 among Guadalupe residents. As the importance of agricultural employment is declining, it is important to plan for the future economic growth of the City in order to provide more employment opportunities for residents and to provide secure revenue streams for future public services. This project provides a set of recommendations for future economic development strategies that may be implemented by the City in cooperation with local economic development agencies. The recommendations are designed to be community focused, building on existing strengths. They are based on case-study research on rural economic development techniques currently being implemented in other rural areas of California.

BACKGROUND:

Both administrative interns recently completed masters projects. One of them chose Guadalupe as the focus of their research. This is a practical project, which involves both research and a practical element intended for possible implementation. Research involved in-depth cases studies of existing economic development programs and an analysis of opportunities and constraints in Guadalupe. The practical element is a set recommendation's for future economic development in the City.

FISCAL IMPACTS:

None.

Economic Development Recommendations for Guadalupe

Recommendations presented here take into account whether or not example programs were able to demonstrate job creation. Additionally, programs studied were analyzed in terms of whether or not and to what extent they displayed the characteristics described in the literature as being related to efficacy of rural development efforts. Logistical considerations dictated by the Guadalupe setting were important in determining economic development recommendations. Implementation factors such as program funding, staff time needed, availability of appropriate partner agencies in the area and access to other resources were considered. And finally, attention was also given to Guadalupe's community strengths, such as rich community history and tourism opportunities. This was done in order to create recommendations that would provide the most economic development results for the least cost while building on available resources.

Retention and Expansion: Visitation and Referral Program

Traditional business expansion and retention programs can be implemented by an economic development agency or a local government in cooperation with partner agencies that provide assistance to local businesses as needed. Partners may include representatives from utilities, small business development programs, chambers of commerce, non-profit lenders, Workforce Investment Board, etc (insert citation). The program coordinator or volunteers visit local businesses in order to complete a needs assessment survey. When specific business needs are identified, the program coordinator will either address the issue directly or refer the business to the appropriate partner agency. The survey information can also be used for the creation of a formal long-term economic strategy for the area by identifying constraints experienced by several businesses (insert citation).

This type of program model seems to hold the most potential for Guadalupe for several reasons. First, the in-depth case study of the BEAR Action network, a business retention and expansion program in Fresno County was able to point to anecdotal evidence of job creation. Additionally, by leveraging services available through partner agencies, they provided a wide range of resources to participants without the administrative burden of actually delivering the services (Director of Business and Community Development: Fresno EDC, personal communication, April 28, 2011.)

Business incentive programs can be difficult to access due to complicated application processes or other factors. Guadalupe business owners were only aware of one business assistance program for which they met eligibility requirements. This was an incentive provided by the Guadalupe Redevelopment Agency. When asked about other incentives that might be given by agencies in Santa Maria, one person thought that only Santa Maria businesses would qualify. Initial research on existing regional economic development programs has shown that there are at least a few regional programs for which Guadalupe businesses are eligible, but that most business owners are unaware of them. Implementing a small-scale business expansion and retention program utilizing existing service providers in the Guadalupe area could significantly raise awareness of available assistance with minimal financial investment on the part of the City.

Recommendation: Prepare and implement a small-scale business expansion and retention program using existing service providers in the area.

Steps to Implementation:

1. Research and prepare a detailed list of all prospective partner agencies in the area. A City representative will need to meet with coordinators or leaders from these agencies to gather detailed information on services provided, who qualifies for which services and information regarding program intake processes. As initial contacts are made, the feasibility of working with the City as part of a business retention and expansion program should be discussed with program coordinators.
2. Once program and service information is collected, a simple intake sheet can be constructed. This should assess the needs of business owners and what services they qualify for. The intake sheet or survey should be approved by all partnering agencies prior to distribution. A contact and referral tracking system should also be developed at this point. This can be simple and should be created in Microsoft Excel. It is important to set it up in such a way that reports and mailing labels can be generated.
3. Next, attempt to meet with Guadalupe business owners. It is important to choose someone for business visitations who will be able to develop a good rapport with the business owners. Volunteers may be selected based on knowledge of a particular type of business and trained by the program coordinator for this purpose. For example, the program coordinator could ask for assistance from the Grower-Shipper Association in administering the surveys for agriculture related businesses.
4. Update the list of service providers every six months and seek ways to keep in regular contact with partner agencies. It may be desirable to create an advisory council with representatives from these agencies. Bi-monthly or quarterly meetings would allow the program coordinator to keep abreast of any changes in available services and would allow the partner agencies to give input on how the program is functioning.
5. It is recommended that, in the long-term, the City use information gathered through this program to create an economic strategy for further development in Guadalupe. The creation of such a document would not only garner community support for future economic development activities and allow the City to think critically about how best to achieve economic goals, it would also be helpful in attracting grant funding for economic development activities.

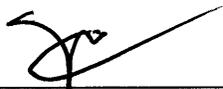
Retention and Expansion: Industry Cluster Program

Industry clusters are a group of related businesses located in a specific geographical area (Rosenfeld 1995 in Barkley and Henry, 1997). They are thought to provide important benefits to the local economy in terms of jobs, income, and export growth (Waits, 2000). Industry cluster programs are designed to engage industry about economic challenges in the area and address them ; also to create a regional strategy for the development of key industries (Waits, 2000, p. 39). Cluster programs create a forum for structured decision-making about economic development issues and allow businesses to be heard 'as one voice' (Investor Relations Manager: Fresno EDC, personal communication, May 2, 2011.)

Such programs identify

REPORT TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
GUADALUPE

Agency Agenda of July 26, 2011



Prepared by:
Regan M. Candelario

SUBJECT:

DISCUSSION ITEM REGARDING OPTIONS FOR THE AGENCY TO ADDRESS
SB1X14/AB1X26; SB1X15/AB1X27

RECOMMENDATION:

That the Agency Board receives a presentation from staff and discusses options for the Agency to address SB1X26/AB1X27.

BACKGROUND:

As the Agency Board is well aware, the State of California (lead by Governor Jerry Brown) has been working toward a strategy to eliminate redevelopment to solve severe State budget problems. Most recently the California Legislature passed two bills (SB1X14/AB1X26; SB1X15/AB1X27) as part of a proposed State budget that would essentially eliminate redevelopment. At the request of the CRA (California Redevelopment Association) and the League of California Cities the Guadalupe Community Redevelopment Agency sent a declarations letter to the State regarding the adverse impacts to the City of Guadalupe associated with the two bills. A copy of the declaration letter is attached.

Staff has also prepared a draft ordinance for the continuation of the redevelopment agency for review and discussion. If the Agency chooses to continue redevelopment in Guadalupe the ordinance must be approved and provided to the State by October 1, 2011.

Attached:

Draft Ordinance
Declaration Letter

I, Regan Candelario, hereby declare:

1. I am the Executive Director of the Guadalupe Community Redevelopment Agency (the "Agency"). I have held this position since January 4, 2010. By virtue of my position and experience at the Agency, I have personal knowledge of the facts set forth below. If called upon to testify to these facts, I could and would do so competently.

2. The Agency plays a vital role in the operation of the City of Guadalupe (the "City"), and is involved in multiple redevelopment projects that benefit the community. These projects include: (1) funding a masonry rehabilitation program for 23 of the City's commercial buildings; and (2) remediating and developing a Brownfield site. In addition, the Agency is currently involved in three affordable housing projects, including a senior housing project, an infill housing program, and a Habitat for Humanity affordable housing project. These projects are all in the planning phase and thus will be terminated if the Agency is dissolved.

3. The Agency has determined that AB1X 27 would require a \$343,338 payment for FY 2011/12, and a payment of \$81,491 for FY 2012/13. The Agency will be unable to make these payments because it only has \$19,000 discretionary dollars for FY 2011/12. All of the remaining Agency revenue is required for either the repayment of \$18 million in bond and loan debts or repayment of the Affordable Housing loans that were used to make the mandatory SERAF payment over the past two fiscal years. Repayment of the Affordable Housing loans cannot be delayed because the Agency is required to repay these funds within five years. If the Agency deviates from its current repayment schedule, it will risk breaching this five-year repayment term. While the Agency was able to utilize its Affordable Housing dollars to make the earlier payments, the Affordable Housing fund is depleted and cannot be used as a source of funds for the payment required by AB1X 27.

4. In addition, the City cannot make the payment under AB1X 27 on behalf of the Agency. The City's budget has been running a

deficit for the past few fiscal years and the City cannot afford any additional expenditures, let alone one of the magnitude required by AB1X 27.

5. Because neither the City nor the Agency can make the payment required by AB1X 27, unless the Court issues a stay the Agency would be forced to dissolve under AB1X 26 on October 1, 2011 and immediately halt all ongoing operations. The harm caused by this dissolution will persist even if the bills are subsequently declared invalid. For example:

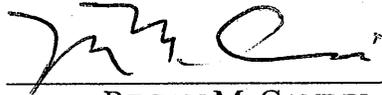
- The cost of having to prepare to close the Agency by October 1, 2011 would be approximately \$50,000. This calculation involves the cost and expense of having to review and evaluate the status of existing contracts and obligations, reassign staff to complete the tasks associated with winding down the Agency, set a schedule to meet the requirements of AB1X 26, including setting City Council/Agency meeting dates and agenda deadlines, and formally evaluating whether the City should serve as a successor agency to the Agency.
- If the Agency is dissolved, the projects described above would not be able to proceed and assets would be sold, including land on which the Agency has been planning the above-mentioned affordable housing projects. If AB1X 26/27 were subsequently invalidated, it would be difficult, if not impossible, to re-assemble the Agency's assets, which would greatly impair the Agency's future redevelopment efforts.
- Upon the Agency's dissolution, the City would be forced to take over approximately \$870,000 of the Agency's obligations (i.e., the amount of the current annual Agency debt payments and Affordable Housing repayments). Having to take over these expenses would force the City to cut services to the community and layoff employees. Even if the bills are ultimately invalidated, the harm to the City

and the community at large would have already occurred.

6. Petitioners are requesting that the Court issue a stay on the legislation by August 15, 2011. Unless AB1X 26/27 are stayed, the City must decide by September 1, 2011 whether to serve as the successor agency for the Agency. To make this determination and prepare for the Agency's October 1, 2011 dissolution, the City would be forced to incur significant staff time and resources, which it is not in a position to provide. Due to previous fiscal austerity measures, the City had to institute furlough days for City staff, which result in shorter workweeks without a corresponding reduction in workload. If no stay is issued, the City would need to add this additional workload to its already overworked employees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that if called as witness I could testify competently to the foregoing.

Executed this 14th day of July, 2011, at Guadalupe, California.



REGAN M. CANDELARIO

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE 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 COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF GUADALUPE.

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

WHEREAS, the Redevelopment Agency of the City of Guadalupe (“Agency”) is 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, since adoption of the Redevelopment Plan, the Agency has undertaken redevelopment projects in the Project Area to eliminate blight, to improve public facilities and infrastructure, to renovate and construct affordable housing, and to enter into partnerships with private industries to create jobs and expand the local economy; and

WHEREAS, over the next few years, the Agency hopes to implement a variety of redevelopment projects and programs to continue to eliminate and prevent blight, stimulate and expand the Project Area’s economic growth, create and develop local job opportunities and alleviate deficiencies in public infrastructure, to name a few; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature has recently enacted and the Governor has signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, specifically, AB 1X 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 1X 27 provides that a community may participate in an “Alternative Voluntary 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 Alternative Voluntary Redevelopment Program requires 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, and upon the contingencies and reservations set forth herein, the City shall make the Fiscal Year 2011-2012 community remittance, currently estimated to be Three Hundred Forty Three Thousand Three Hundred Thirty Eight Dollars (\$ 343,338), as well as the subsequent annual community remittances as set forth in the CRL; and

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1X 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay; and

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

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

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

Section 2. **Participation in the Alternative Voluntary Redevelopment Program.** In accordance with Health and Safety Code Section 34193, and based on the Recitals set forth above, the City Council hereby determines that the City shall comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as enacted by AB 1X 27.

Section 3. Payment Under Protest. Except as set forth in Section 4, below, the City Council hereby determines that the City shall make the community remittances set forth in Health and Safety Code section 34194 *et seq.*

Section 4. Effect of Stay or Determination of Invalidity. City shall not make any community remittance in the event a court of competent jurisdiction either grants a stay on the enforcement of AB 1X 26 and AB 1X 27 or determines that AB 1X 26 and AB 1X 27 are unconstitutional and therefore invalid, and all appeals therefrom are exhausted or unsuccessful, or time for filing an appeal therefrom has lapsed. Any community remittance shall be made under protest and without prejudice to the City's right to recover such amount and interest thereon in the event that there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional. If there is a final determination that AB 1X 26 and AB 1X 27 are invalid, this Ordinance shall be deemed to be null and void and of no further force or effect.

Section 5. Implementation. The City Council hereby authorizes and directs the City Administrator to take any action and execute any documents necessary to implement this Ordinance, including but not limited to notifying the Santa Barbara County Auditor-Controller, the Controller of the State of California, and the California Department of Finance of the adoption of this Ordinance and the City's agreement to comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as set forth in AB 1X 27.

Section 6. Additional Understandings and Intent. It is the understanding and intent of the City Council that, once the Agency is again authorized to enter into agreements under the CRL, the City will enter into an agreement with the Agency as authorized pursuant to Section 34194.2, whereby the Agency will transfer annual portions of its tax increment to the City in amounts not to exceed the annual community remittance payments to enable the City, directly or indirectly, to make the annual remittance payments. The City Council does not intend, by enactment of this Ordinance, to pledge any of its general fund revenues or assets to make the remittance payments.

Section 7. CEQA. The City Council finds, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the creation and continuation of a governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Santa Barbara in accordance with CEQA Guidelines.

Section 8. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City Clerk's office located at 918 Obispo Street Guadalupe CA 93434. The custodian for these records is Regan M. Candelario.

Section 9. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 10. 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 Guadalupe, 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 11. Effective Date. This Ordinance shall become effective thirty (30) days from its adoption.

OR

Section 12. Findings. The adoption of this Urgency Ordinance is necessary for the immediate protection of the public peace, health and safety. In accordance with California Government Code Section 36937 and in order to protect the public peace, health and safety, the City Council of the City of Guadalupe finds and determines as follows:

(a) AB 1X 26 prohibits agencies from taking numerous actions, until the City Council adopts an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code, including but not limited to incurring any new monetary or legal obligations or expanding any existing monetary or legal obligations, entering into agreements with any person for any purpose or amending or modifying any existing agreements and taking any action with respect to a redevelopment plan;

(b) Prior to the enactment of an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code, the Agency will be unable to continue efforts to eliminate and prevent blight (including remediation of buildings and structures which are unhealthy or unsafe to occupy or properties with hazardous waste), stimulate and expand the Project Area's economic growth, create and develop local job opportunities and alleviate deficiencies in public infrastructure;

(c) Blighting conditions in the Project Area constitute substantial threats to public peace, health and safety, and are so prevalent they cannot be eliminated without Agency action, including but not limited to the use of Agency funds and authorization of redevelopment projects and programs;

(d) During the current economic crisis, the Agency must have the ability to act and continue the efforts set forth in (b) above. The Agency must have all tools available in order to eliminate and prevent blighting conditions, including implementation of the Agency's economic development programs business retention and expansion, business cluster development, promotion and outreach activities.

(e) The Agency is actively engaged in efforts to rehabilitate housing units, to provide assistance for property improvements and to provide safe and affordable housing. Adoption of this Urgency Ordinance will permit the Agency to continue these efforts immediately.

Section 13. Effective Date. The City Council hereby declares, on the basis of the findings set forth above, that an emergency exists and that this Ordinance is necessary to preserve the public peace, health and safety. Accordingly, this Ordinance is adopted as an emergency ordinance and shall take effect and be in force immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council on the 23rd day of August 2011, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Lupe Alvarez, Mayor

ATTEST:

Rosie Narez, City Clerk