

ORDINANCE NO. 912
AN URGENCY ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING PARTICIPATION IN THE ALTERNATIVE
VOLUNTARY REDEVELOPMENT PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that the continuation of redevelopment activities preserves and promotes public welfare, benefits the community through community remittances to ensure improved educational and other community services, and will result in the construction of facilities and infrastructure that encourages and fosters the health, safety, and general welfare of the residents of Riverside County.

Section 2. PURPOSE. The purpose of this ordinance is to authorize the County's participation in the Alternative Voluntary Redevelopment Program described in Part 1.9 (commencing with section 34192) of Division 24 of the Health and Safety Code, as it now exists or as it may from time to time be amended, so that redevelopment activities may continue after October 1, 2011.

Section 3. AUTHORITY. This ordinance is adopted pursuant to Part 1.9 of Division 24 of the Health and Safety Code, as it now exists or as it may from time to time be amended, which allows a county that includes a redevelopment agency to participate in the Alternative Voluntary Redevelopment Program if it agrees to accept the requirements and obligations of the Alternative Voluntary Redevelopment Program set forth therein.

Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- a. Alternative Voluntary Redevelopment Program. The program described in Part 1.9 (commencing with section 34192) of Division 24 of the Health and Safety Code, as it now exists or as it may from time to time be amended, adopted pursuant to Assembly Bill 1X27.
- b. Community Remittances. The amounts the County agrees to remit on an annual basis, via the County Auditor-Controller, to school entities and special districts as a precondition to continuing redevelopment activities. Such amounts shall be determined by the Director of the Department of Finance on or before August 1, 2011 and annually thereafter.
- c. County. The County of Riverside.
- d. County-Auditor Controller. The Riverside County Auditor-Controller.
- e. Department of Finance. The California Department of Finance.

- f. Redevelopment Agency. The Redevelopment Agency for the County of Riverside.
- g. State Auditor. The California State Auditor.

Section 5. AGREEMENT TO COMPLY. The County agrees to do each of the following:

- a. Comply with the requirements and obligations of the Alternative Voluntary Redevelopment Program.
- b. Notify the County Auditor-Controller, the State Auditor, and the Department of Finance of its agreement to comply with the requirements and obligations of the Alternative Voluntary Redevelopment Program.
- c. Commit to making community remittances to the County Auditor-Controller for fiscal years 2011-2012, 2012-2013 and subsequent years in accordance with Health and Safety Code section 34194 et. seq., as it now exists or as it may from time to time be amended.

Section 6. PAYMENT OF REMITTANCES. The County shall pay community remittances to the County Auditor-Controller in equal installments on January 15 and May 15 of each year. The Economic Development Agency shall submit a staff report and obtain approval of the funding source from the Board of Supervisors and the Redevelopment Agency shall submit a staff report and obtain approval of the funding source from the Board of Directors of the Redevelopment Agency before remitting each payment to the County Auditor-Controller.

Section 7. APPEAL OF REMITTANCES. The County reserves the right to appeal community remittances as provided in Health and Safety Code section 34194, as it now exists or as it may from time to time be amended.

Section 8. EFFECT OF STAY OR DETERMINATION OF INVALIDITY. The County shall not make community remittances in the event a court of competent jurisdiction either grants a stay of enforcement of the Alternative Voluntary Redevelopment Program or makes a final determination that the Alternative Voluntary Redevelopment Program is unconstitutional. Community remittances shall be made under protest and without prejudice to the County's right to recover such amount and interest thereon in the event that there is a final determination that the Alternative Voluntary Redevelopment Program is unconstitutional.

Section 9. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared severable.

Section 10. EFFECTIVE DATE. This ordinance is hereby declared to be an urgency measure and shall take effect immediately upon its adoption. In accordance with the requirements of Government Code section 25123, subdivision (d), the Board of Supervisors hereby declares that the provisions contained herein are necessary for the immediate preservation of the public peace, health, and safety and serve the public interest for the following reasons:

- a. Assembly Bill 1X26 effective June 29, 2011 prohibits redevelopment agencies from taking numerous actions until the County 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 new financial or legal obligations or expanding any existing obligations, and entering into new agreements.
- b. If this ordinance is not adopted, the Redevelopment Agency will be unable to continue efforts to eliminate or prevent blight, stimulate and expand the economic growth in redevelopment plan project areas, create and develop local job opportunities and eliminate deficiencies in public infrastructure.
- c. Blighting conditions in redevelopment plan project areas constitute substantial threats to the public peace, health and safety, and are so prevalent they cannot be eliminated without redevelopment agency action.
- d. The Redevelopment Agency is actively engaged in redevelopment activities including but not limited to, rehabilitating housing units, creating affordable housing units, constructing libraries, community centers and other public facilities. Adoption of this ordinance as an urgency measure will permit the Redevelopment Agency to continue these efforts immediately.

Adopted: 912 item 3.37 of 07/26/11 (Eff: Immediately)