

ORDINANCE NO. 72

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, REPEALING ORDINANCE NO. 08-11 CREATING THE REDEVELOPMENT AGENCY FOR THE CITY

THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS

- (a) In Ordinance No. 08-11, pursuant to the Community Redevelopment Law, Health & Safety Code Section 33000 *et seq.*, the City Council of the City of Wildomar created the Redevelopment Agency for the City of Wildomar and added Chapter 2.06 to the Wildomar Municipal Code pertaining to the Redevelopment Agency.
- (b) On June 28, 2011, as part of the 2011-2012 State of California budget bill, companion bills Assembly Bill 1x26 and Assembly Bill 1x27 were enacted, which proposed to dissolve redevelopment agencies unless their communities agreed to make certain payments to the State.
- (c) On December 29, 2011, the California Supreme Court issued its opinion in the of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861. The Supreme Court upheld the validity of Assembly Bill 1x26 and invalidated Assembly Bill 1x27.
- (d) The Supreme Court's decision in *Matosantos* resulted in the implementation of Assembly Bill 1x26, dissolving all redevelopment agencies in the State of California as of February 1, 2012.
- (e) Because Assembly Bill 1x26 dissolved all redevelopment agencies, the City desires to repeal Ordinance No. 08-11 establishing the City's redevelopment agency to avoid any confusion.

SECTION 2. Repeal of Ordinance No. 08-11

The City Council hereby repeals Ordinance No. 08-11 in its entirety.

SECTION 3. Declaration of Facts Constituting Urgency

Per Assembly Bill 26x1 and *Matosantos*, the City's redevelopment agency has been dissolved. The Wildomar Municipal Code, however, still contains provisions stating the City has a redevelopment agency and granting the agency powers. Therefore, the City Council finds that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety, and declares that it shall take effect immediately upon its adoption as an urgency ordinance in accordance with Government Code Section 36937.

SECTION 4. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Effective Date

This ordinance shall take effect immediately upon its passage by the City Council.

SECTION 6. Publication

The City Clerk shall cause this ordinance to be published or posed in accordance with Government Code section 36933.

PASSED, APPROVED AND ADOPTED this 8th day of August, 2012.



Ben J. Benoit
Mayor

APPROVED AS TO FORM:

ATTEST:



Thomas D. Jex
City Attorney



Debbie A. Lee, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, Debbie A. Lee, CMC, City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Urgency Ordinance No. 72 was duly introduced and adopted at a regular meeting of the City Council of the City of Wildomar, California, on August 8, 2012, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Mayor Benoit, Mayor Pro Tem Walker, Council Members Cashman, Moore

NOES: None

ABSTAIN: None

ABSENT: Council Member Swanson



Debbie A. Lee, CMC
City Clerk
City of Wildomar