

5-21-96 898
7-C CA-8

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: May 7, 1996
AGENDA ITEM NO.:

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

5/7 Waive first reading and introduce Ordinance/Waive second reading and adopt the attached Ordinance deactivating the Redevelopment Agency and rescinding in its entirety Chapter 3.48 of the County Code. Pursuant to California Health and Safety Code section 33141, the Board of Supervisors may deactivate the Redevelopment Agency if they find that there is no need for an Agency to function in the community provided that the Agency has no outstanding bonded indebtedness, no other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations. A copy of a memorandum from the Auditor indicating that the County is free of all obligations is attached. Also attached is a copy of California Health and Safety Code section 33141.

According to Dave Beatty, the attorney who represented the County relative to the creation of the Redevelopment Agency, has indicated that if a future Board determines a Redevelopment Agency is necessary in the County to do a needed project, by following section 33141, this deactivation will not preclude that Board from going forward with reactivating the Agency based upon all of the statutes, laws, rules, and regulations in effect at that time.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On April 9, 1996, the Board directed that staff take whatever steps are necessary to deactivate the Redevelopment Agency.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has previously directed that staff formally proceed with the deactivation of the Redevelopment Agency.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Ordinance.
Memo from Auditor.
Copy of Health & Safety Code section 33141.

CLERK'S USE ONLY:

Res. No.: _____

Vote - Ayes: 5

Absent: _____

Approved _____ () Minute Order Attached _____

Ord. No. 898

Noes: _____

Abstained: _____

() Denied _____

() No Action Necessary _____

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: JP

Ordinance No. 898

AN ORDINANCE DEACTIVATING
THE MARIPOSA COUNTY REDEVELOPMENT AGENCY
AND RESCINDING IN ITS ENTIRETY CHAPTER 3.48
OF THE MARIPOSA COUNTY CODE ENTITLED
"REDEVELOPMENT AGENCY OF THE COUNTY OF MARIPOSA"

WHEREAS, pursuant to Mariposa County Ordinance No. 755, chapter 3.48 entitled "Redevelopment Agency of the County of Mariposa" was added to the Mariposa County Code, and

WHEREAS, the project which was contemplated pursuant to the adoption of Mariposa County Ordinance No. 755 was never fulfilled, and

WHEREAS, Health and Safety Code § 33141 allows the Mariposa County Board of Supervisors upon its own motion to adopt an Ordinance deactivating the Redevelopment Agency, and

WHEREAS, there is no current need for a Redevelopment Agency to function in the community, and

WHEREAS, the Redevelopment Agency has no outstanding bonded indebtedness, no other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations;

NOW, THEREFORE, THE BOARD OF SUPERVISORS of the County of Mariposa does ordain as follows:

SECTION I: The Redevelopment Agency of Mariposa County is hereby deactivated and Chapter 3.48 of the Mariposa County Code entitled "Redevelopment Agency of the County of Mariposa" is hereby rescinded in its entirety.


SECTION II: The Clerk of the Board is hereby directed to cause a certified copy of this Ordinance to be filed in the office of the Secretary of State of the State of California.

SECTION III: The Clerk of the Board is hereby directed to certify to the passage of this Ordinance and to cause the same to be published once in the Mariposa Gazette and Miner, a newspaper of general circulation, published and circulated in the County of Mariposa, California.

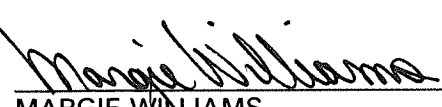
SECTION IV: This Ordinance shall become effective thirty (30) days after its final passage and adoption pursuant to California Government Code § 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 21st day of May, 1996 by the following vote:

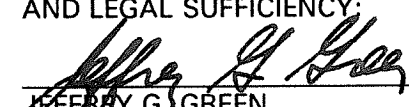
AYES: REILLY, BALMAIN, STEWART, PARKER, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



DOUG BALMAIN, Chairman
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


JEFFREY G. GREEN
County Counsel



Bill Jones
Secretary of State

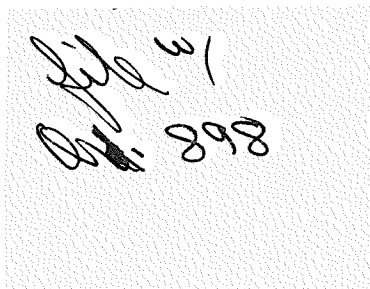
Limited Partnership Division
P.O. Box 944225
Sacramento, CA 94244-2250

Spec. Filings

(916) 653-3984

June 14, 1996

Rhonda Scherf
Mariposa County Board of Supervisors
P. O. Box 784
Mariposa, CA 95338



The purpose of this letter is to acknowledge the filing in this office of a

ORDINANCE NO. 898 deactivating the Mariposa County Redevelopment Agency

for MARIPOSA COUNTY REDEVELOPMENT AGENCY

pursuant to California Health and Safety Code Section 33142

This Ordinance *was filed as of* May 29, 1996

*Sincerely,
Special Filings Unit*