

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AND
THE BOARD OF THE SUCCESSOR AGENCY TO THE MILPITAS REDEVELOPMENT AGENCY
CONFIRMING THE PREVIOUSLY APPROVED REDEVELOPMENT EXEMPTION PERIOD FOR THE
GREAT MALL REDEVELOPMENT AREA, WHICH INCLUDES TWO NON-CONTIGUOUS ADDED AREAS**

WHEREAS, on or about June 28, 2011, the Governor signed into law AB X1 26, as subsequently amended by AB 1484, which provided for the dissolution and winding down of redevelopment agencies throughout the State of California (“Dissolution Legislation”); and

WHEREAS, pursuant to the Dissolution Legislation, the City of Milpitas elected to be the Successor Agency to the Milpitas Redevelopment Agency to administer the dissolution and winding down of the Agency; and

WHEREAS, on February 1, 2012, pursuant to AB X1 26, the Agency was dissolved and, upon dissolution, all assets, properties and contracts of the Agency, including the Rental Agreement, were transferred, by operation of law, to the Successor Agency pursuant to the terms of Health and Safety Code Section 34175 (b); and

WHEREAS, in connection with the winding down of the Agency, the City of Milpitas has undertaken to address the status of displays that were permitted, pursuant to the exemption in the Outdoor Advertising Act, to be located in areas that were designated as redevelopment areas; and

WHEREAS, on November 2, 1993, the City Council enacted Ordinance No. 192.8, which adopted the Redevelopment Plan for the Great Mall Redevelopment Project with a duration of 15 years from the November 2, 1993 adoption, which was November 2, 2008; and

WHEREAS, on October 16, 2001, the City Council enacted Ordinance No. 192.13, which added two non-contiguous areas (“Added Areas”) to that of the existing Milpitas Redevelopment Project Area No. 1; and

WHEREAS, pursuant to the exemption in the Outdoor Advertising Act, certain displays have been constructed and maintained on the Added Areas that advertise businesses in the Great Mall Redevelopment Area; and

WHEREAS, on October 3, 2006, the City Council enacted Ordinance 192.17, which extended the duration of the Great Mall Redevelopment Plan to 17 years from the November 2, 1993 adoption, which was November 2, 2010; and

WHEREAS, on May 5, 2009, the City Council enacted Ordinance 192.22, which extended the duration of the Great Mall Redevelopment Plan to 40 years from the November 2, 1993 adoption, which was November 2, 2033; and

WHEREAS, on November 29, 2006, the City Council enacted Ordinance No. 192.19, which merged the Great Mall Redevelopment Project with Milpitas Redevelopment Project Area No. 1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas and the Board of the Successor Agency to the Milpitas Redevelopment Agency as follows:

1. Confirms that the Milpitas Redevelopment Agency and the City Council intended to, and did, provide that the Great Mall Redevelopment Plan spanned 40 years, from November 2, 1993 to November 2, 2033.
2. Acknowledges that displays were constructed, pursuant to the exemption in the Outdoor Advertising Act, in areas that were designated as redevelopment areas and ultimately included as part of the Great Mall Redevelopment Plan.
3. Confirms that the Added Areas (described in Ordinance No. 192.13), as part of the Great Mall Redevelopment Plan, are subject to a previously approved redevelopment exemption period of November 2,

1993 to November 2, 2033, and any displays located thereon should be allowed, under the permits issued by the California Department of Transportation, to remain in place until the expiration of that period.

PASSED AND ADOPTED this ____ day of ____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney