



Council Meeting: August 23, 2011

SUBJECT: Ordinance Electing to Participate in the Alternative Voluntary Redevelopment Program Pursuant to Part 1.9 of the California Community Redevelopment Law

BACKGROUND

As part of the FY 2011/2012 State budget adoption, two trailer bills, ABX1 26 and ABX1 27, were signed into law that significantly modifies the California Community Redevelopment Law and redirects local tax increment funds from Redevelopment Agencies (RDAs) to other local taxing agencies (which in turn reduces pressure on the State treasury). A summary of the legislation prepared by RDA legal counsel Goldfarb Lipman is provided as Attachment A to this report.

ABX1 26 (the Dissolution Act) immediately suspended RDAs from any new redevelopment activities and from incurring indebtedness. RDAs are now prohibited from taking any actions other than paying off existing indebtedness and performing existing contractual obligations unless its local community opts into the voluntary redevelopment program described below. Effective October 1, 2011, RDAs will dissolve, and successor agencies (presumed to be the community creating the RDA) will wind down the operations of the former RDAs under the review of oversight boards.

ABX1 27 (the Voluntary Program Act) allows cities and counties the option to avoid dissolution of their affiliated RDAs under ABX1 26 by adopting an ordinance opting in to an "Alternative Voluntary Redevelopment Program" requiring specific, annual contributions to schools and special districts. The annual contributions, or remittance payments, are expected to generate \$1.7 billion statewide for FY 2011/2012 and \$400 million in each subsequent year. The remittances are due in two equal installments each fiscal year by January 15th and May 15th.

Other important dates in the two bills include:

- August 1, 2011 - the State Department of Finance (DOF) published the amount of the FY 2011/2012 remittance that must be paid by each RDA that "volunteers" to continue operations. The City of Sunnyvale's amount is \$3,650,428.

- August 15, 2011 – the last date for the City to appeal the amount of the remittance and only if there is an error in the numbers in the State Controller's 2008-09 annual report on redevelopment agencies or if the tax increment revenue required to meet its tax allocation debt service and interest payments has increased by ten percent or more.
- August 28, 2011 – the RDA must adopt an Enforceable Obligation Payment Schedule if the City does not intend to opt-in to an “Alternative Voluntary Redevelopment Program”.
- September 30, 2011 – the RDA is required to file the annual Statement of Indebtedness. If the City opts-in or intends to opt-in to the Voluntary Program, it is important to list all of the RDA debt. Future indebtedness not listed on this statement of indebtedness will trigger additional payments to school districts which will reduce the amount of revenue available for redevelopment purposes.
- Before October 1, 2011 – the City may adopt a non-binding resolution of intent to opt-in to the Voluntary Program if unable to adopt an ordinance to that effect by October 1, 2011. (This action delays the dissolution date for the RDA until November 1, 2011.)
- October 1, 2011 – if the City has not adopted an ordinance or a non-binding resolution of intent to opt-in to the Voluntary Program, the RDA will be dissolved and all assets will be transferred to the Successor Agency (the City) that is charged with selling RDA assets and transferring funds to the State.
- November 1, 2011 - the last date the City has to enact an ordinance to opt-in to the Voluntary Program, and notify the DOF, State Controller and County Auditor- Controller of the adoption of the ordinance.
- November 1, 2012 and on November 1 of each following year, the City notifies DOF, State Controller and County Auditor-Controller of remittance amounts for each fiscal year.

On July 18, 2011, the California Redevelopment Association (CRA), the League of California Cities (League) and the cities of Union City and San Jose, challenged in court the constitutionality of the State's actions on a number of grounds, including as a violation of the recently passed Proposition 22 (November 2010). Proposition 22 prohibits the State from seizing, diverting, shifting, borrowing, transferring, suspending, or otherwise taking or interfering with revenue dedicated to local government. The revenues protected by Proposition 22 specifically include the annual tax increments allocated to redevelopment agencies.

The lawsuit also requested the California Supreme Court to issue a stay to prevent the legislation from going into effect until the Court can rule on the merits of these claims.

EXISTING POLICY

The Redevelopment Implementation Plan Goal 1 states: *Meet the Agency's Existing Financial and Administrative Obligations*

DISCUSSION

After months of prolonged negotiations surrounding California's fiscal crisis, the legislature adopted a budget that the Governor signed into law on June 30, 2011. Since January, the Governor has promoted the idea of eliminating RDAs in order to use the tax increment funds to close the State's funding gap of \$1.7 billion in the first year and \$400 million thereafter. With the enactment of the State budget and the signing of the redevelopment legislation, the City is now entering a stage in which decisions need to be made in a very short time frame. Staff received consultation from RDA legal counsel, Goldfarb Lipman on analyzing the most critical decision of whether to dissolve or to make payments to the State and continue to exist. These two options both have "pros" and "cons" to evaluate.

In evaluating the two options available to the City, a risk assessment also needs to be considered due to the confusing language in the legislation. Significant uncertainty still remains as to whether the Oversight Board (a seven member board consisting largely of appointed education and county interests) will honor the loan agreements the RDA has with the City if the RDA were dissolved. Although loans between an RDA and its City are specifically excluded from the list of enforceable obligations, Sunnyvale's loan to its RDA was made in part for repayment of debt service, which is an obligation that will be paid. This issue is of key importance to Sunnyvale because the City, which has invested significant General Fund money in the RDA program, does not have fixed repayment pledges from the RDA, but rather has agreements to receive loan repayments in the form of future RDA revenue as available. If the legislation were clear that the City's loan agreements were recognized for repayment, it would have put the City in a better position financially. But without the certainty, it is very risky considering control is with the Oversight Board, all payments are made through the County Auditor-Controller and the intent of the legislation language is to not allow loans between the City and the RDA to be recognized.

ABX1 26 (The Dissolution Act)

With ABX1 26, the RDA ends and only specific enforceable obligations will continue to be paid. For the City, this means the obligations of the current development agreement and the bond debt service totaling approximately \$1.8 million in FY 2011/2012 will be paid. The General Fund repayment is uncertain and unlikely, except to the extent related to bond indebtedness.

Therefore the City's General Fund would experience a shortfall of approximately \$5 million in FY 2011/2012. This loss would grow in future years as property values increase. In total the General Fund would lose a minimum of approximately \$120 million in RDA repayments as currently budgeted through the end of the Redevelopment plan in FY 2027/2028. At the same time, a portion of the lost RDA tax increment revenue (approximately 16%) would be returned to the City in the form of property tax revenue. It is estimated that the City would receive a minimum of around \$800,000 in the first year, which grows with increases in assessed values. Over the remaining life of the RDA plan, this totals approximately \$29 million with current property tax growth assumptions.

Pros

- The City would receive sufficient annual tax revenue to pay debt service and obligations on RDA Bonds and the Town Center development agreement.
- The City's share of property tax revenue would increase by approximately \$800,000 in FY 2011/2012, totaling approximately \$29 million through FY 2027/2028 with current assumptions.
- The Successor Agency would be eligible to receive very limited funds for administrative costs, subject to approval by the Oversight Board, the DOF and the State Controller.

Cons

- The RDA will likely no longer receive annual tax increment revenue to pay debt obligations on the City/Agency loan agreements. The total outstanding General Fund debt owed by the RDA is \$65 million currently. With interest, it is currently anticipated the RDA will repay a total of \$120 million by the end of the RDA plan.
- The RDA will no longer be able to make changes to the development agreement for the Town Center.
- The RDA will no longer be able to invest in public infrastructure or assist private development to invest in the revitalization of downtown.
- Real estate owned by the RDA will be sold by the Successor Agency, subject to approval by State officials and the Oversight Board.
- The RDA will no longer pay for the total cost of administration of the program which is currently budgeted for \$350,000 in FY 2011/2012 for staff time, legal and consulting fees.

- The RDA will not receive future tax increment to allocate to the affordable housing program resulting in a loss of \$61 million to the program.
- The City Council will have only two appointments to the seven person Oversight Board that controls the funds.

ABX1 27 (The Voluntary Program Act)

By opting in to the Voluntary Program under ABX1 27, the City would be responsible for a payment of \$3.7 million in FY 2011/2012 and subsequent payments of approximately \$900,000 annually until the end of the Plan. However, there are no assurances that the payments will not increase in the future. The payments are the responsibility of the City but can be paid back with current or future RDA funds. By making the payment the RDA could continue to engage in the Town Center redevelopment activities, invest over \$61 million in affordable housing and continue to pay on the debt of the City loans.

Pros

- The RDA will continue paying the debt of the City loans at approximately \$5 million a year that grows in future years through the end of the Plan (approximately \$120 million in total).
- The RDA can continue to engage in redevelopment activities.
- The RDA can enter into new agreements and modify existing agreements with private developers for the Town Center and future downtown development projects.
- The RDA can continue to receive tax increment funds for the affordable housing program (approximately \$61 million in total).
- The RDA can continue to pay full share of administrative costs.
- Allows for future Redevelopment Plan Amendments.
- The agreement is non-binding, allowing the City to reassess and potentially opt out in the future as more information is known.

Cons

- The City will be required to make payments totaling \$3.7 million in FY 2011/2012 and \$900,000 each year thereafter and there is no assurance that the payments won't go up in the future.

FISCAL IMPACT

The table below summarizes the impact over the remaining life of the RDA plan for opting in or opting out of the RDA program. It is important to emphasize that the General Fund loan repayment is already budgeted.

**Impact of Legislation on Sunnyvale Revenues
Total Revenues FY 2011/2012 – FY 2027/2028**

	Opt-in	Opt-out
General Fund Loan Repayment	\$120,000,000	
Increased Property Tax		\$29,000,000
RDA Affordable Housing Program	\$61,000,000	
State Payment	-\$18,000,000	
Total Revenues	\$163,000,000	\$29,000,000

Under ABX1 27, the City and the RDA can enter into an agreement whereby the RDA agrees to transfer a portion of its tax increment to the City in an amount not to exceed the remittance payment. If the City opts in, staff recommends the RDA and the City enter into such an agreement at the time the RDA is no longer suspended.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

1. Adopt an Ordinance of the City Council of the City of Sunnyvale Enacted Pursuant to Health and Safety Code Section 34193 to Elect and Implement Participation by the City of Sunnyvale and the Redevelopment Agency of the City of Sunnyvale In the Alternative Voluntary Redevelopment Program Pursuant to Part 1.9 of the California Community Redevelopment Law.

2. Do not adopt an Ordinance. If Ordinance is not adopted, the RDA will be dissolved on October 1, 2011.

RECOMMENDATION

Staff recommends that the City Council approve Alternative 1, to adopt an Ordinance of the City Council of the City of Sunnyvale enacted pursuant to Health and Safety Code Section 34193 to elect and implement participation by the City of Sunnyvale and the Redevelopment Agency of the City of Sunnyvale in the Alternative Voluntary Redevelopment Program Pursuant to Part 1.9 of the California Community Redevelopment Law.

Although the Voluntary Program is characterized by some as “extortion”, faced with the choice between continuing redevelopment activities or defaulting on outstanding contractual obligations to the City, losing \$61 million in affordable housing funds and surrendering control of the Town Center development agreement at a critical juncture of development, staff recommends that the City and RDA agree to make the payments to keep the RDA of the City of Sunnyvale generating assets to be used for the benefit of Sunnyvale.

Reviewed by:

Grace K. Leung, Director, Finance
Prepared by: Brice McQueen, Redevelopment Manager

Reviewed by:

David Kahn, City Attorney

Approved by:

Gary M. Luebbbers
City Manager

Attachments

- A. Summary of Redevelopment Legislation prepared by Lynn Hutchins, Goldfarb Lipman Attorney

- B. Ordinance of the City Council of the City of Sunnyvale Enacted Pursuant to Health and Safety Code Section 34193 to Elect and Implement Participation by the City of Sunnyvale and the Redevelopment Agency of the City of Sunnyvale In the Alternative Voluntary Redevelopment Program Pursuant to Part 1.9 of the California Community Redevelopment Law

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Goldfarb & Lipman LLP

July 22, 2011

memorandum

To

Honorable Mayor and City Council Members
City of Sunnyvale

From

Lynn Hutchins

RE

Redevelopment Legislation

The Governor signed two bills that result in dramatic changes to redevelopment in California. This memo is intended to provide information on the impact of this legislation on the Redevelopment Agency of the City of Sunnyvale ("Agency"). We have prepared a more detailed summary of the legislation that provides additional background and analysis of the legislation that City staff can provide to you upon request.

Redevelopment Suspension and Dissolution.

Under the provisions of SBx1 15/ABx1 26 (the "Dissolution Act") redevelopment agency activities are suspended from the effectiveness date of the legislation. Although there is some confusion about when the legislation is effective, it is reasonable to assume that the agency is suspended commencing on June 30, 2011. The purpose of the suspension period is for agencies to preserve their assets prior to dissolution. The effect of suspension means that the Agency can only undertake limited activities. These activities include paying existing debt obligations, including loan payments, bonds payments and any other legally binding obligations of the Agency. Obligations of the Agency includes contracts for administration and operation of the Agency and would appear to include staff costs and other administrative expenses. The Agency can also set aside reserves for bonds. All other activities are suspended. Activities that the Agency are prohibited from taking during the suspension period include transferring land or other assets, acquiring real property, entering into new contracts or leases or making loans.

Under the Dissolution Act, if the Agency does not participate in the voluntary opt-in program, described below, the Agency will be dissolved on October 1, 2011. After dissolution, all assets of the Agency will be transferred to a Successor Agency. The City can elect to be the Successor Agency and most likely would want to do so.

However, the City will not control the Successor Agency. The Successor Agency's actions with regard to the redevelopment assets are controlled by a seven-person oversight board. The City will have one appointee to the oversight board. Other members of the oversight board will be appointed by the Board of Supervisors (2 members), the County Superintendent of Education (1 member), the Chancellor of California Community Colleges (1 member), the largest special district taxing entity (1 member) and a former redevelopment agency employee appointed by the Mayor (1 member). The Oversight Board will direct the Successor Agency to determine whether contracts, agreements or other arrangements between the Agency and private parties should be terminated or renegotiated to reduce the liabilities of the Successor Agency and to increase revenues to the taxing entities. The Department of Finance may review any decisions of the Oversight Board.

If the Redevelopment Agency is dissolved, the tax increment is deposited into a trust fund with the County and used to pay pass-through obligations to taxing agencies and the existing obligations of the Agency. Funds remaining after payment of the pass through obligations, the existing obligations, and limited administrative expenses of the Successor Agency are distributed by the County to school entities and other local taxing entities as property taxes.

If the Agency elects to dissolve, any agreements between the Agency and the City would be considered null and void. The Dissolution Act specifically provides that enforceable obligations to be paid by the Successor Agency do not include agreements, contracts or arrangements between the Agency and the City except in limited circumstances.

Under the dissolution scenario, the Successor Agency would be limited to the greater of 5% of the tax increment or \$250,000 to pay for administrative expenses in 2011-12. In 2013-14 this amount would decrease to the greater of 3% of the tax increment or \$250,000.

Voluntary Opt-In

The Legislature also passed SBx1 15/ABx1 27 ("Voluntary Program") that provides agencies an option to avoid dissolution. Under the provisions of the Voluntary Program, to avoid dissolution, the City must adopt an ordinance no later than November 1, 2011 agreeing to make certain annual payments. The first year's payment, due in two equal installments on January 15, 2012 and May 15, 2012, is the Agency's proportionate share of \$1.7 billion dollars as determined in accordance with a formula based on the 2008-09 tax increment collections. The Agency's estimated payment in 2011-12 would be \$3,680,796 based on CRA estimates. The actual State Department of Finance calculation are due to be released on August 1, 2011. In subsequent years the Agency would be required to pay its proportionate share of \$400 million. The Agency payments in 2012-13 and following years will vary depending upon the amount of debt the

Agency incurs after October 1, 2011 and the amount of the pass through payments to the school entities in each year. The estimated payment in 2012-13 is approximately \$866,070. Subsequent year's payments would be based on the \$866,070 for 2012-13 but would increase or decrease based on the growth in tax increment and would also increase based on the amount of debt issued after October 1, 2011. If the City elects to opt into the voluntary program, upon enactment of the required ordinance, the Agency can conduct business as usual.

The Voluntary Program payments can be paid from the Agency's available tax increment. Additionally, the Agency can suspend its deposit into the Housing Fund for 2011-12 to make the payment if there are no other sources of funds available. The legislation is not clear whether existing deposits in to the housing fund can be used for the payments, however, the Agency should assume they are not available for this purpose. As the legislation is currently drafted, the 2011-12 deposit to the Housing Fund, if suspended, does not have to be repaid, but there are rumors about clean up legislation that may require a repayment of these funds over a period of five years.

Timing

If the City and the Agency elect to opt-in to the Voluntary Program there are a reasons to consider doing so quickly to remove the cloud of suspension from the Agency. Opting-in requires the adoption of an Ordinance by the City Council which requires two readings. Upon enactment of the ordinance, the Agency will no longer be considered suspended.

Additionally, if the City and the Agency elect to opt-in to the Voluntary Program, the Agency may want to consider what if any programs and obligations it wants to consider incurring before October 1, 2011. Debts incurred after October 1, 2011 have the potential to increase the payments that the Agency will have to make in 2012-13 and subsequent years.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ENACTED PURSUANT TO HEALTH AND SAFETY CODE SECTION 34193 TO ELECT AND IMPLEMENT PARTICIPATION BY THE CITY OF SUNNYVALE AND THE REDEVELOPMENT AGENCY OF THE CITY OF SUNNYVALE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS AND BACKGROUND INFORMATION.

a. Pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Sunnyvale (the "City") adopted Resolution No. 2600 on November 19, 1957 declaring the need for the Redevelopment Agency of the City of Sunnyvale (the "Agency") to function in the City.

b. Also in accordance with the Redevelopment Law, the City Council adopted Ordinance No. 1796-75 on November 26, 1975 adopting the Redevelopment Plan (the "Redevelopment Plan") for the Central Core Redevelopment Project Area (the "Project Area"), as amended from time to time. The Redevelopment Plan set forth the plan for redevelopment of the Project Area; and

c. ABx1 26 (the "Dissolution Act") and ABx1 27 (the "Voluntary Program Act"; and together with the Dissolution Act, the "Redevelopment Restructuring Acts") have been enacted to significantly modify the Redevelopment Law generally as follows:

1. The Dissolution Act first immediately suspends all new redevelopment activities and incurrence of indebtedness, and dissolves redevelopment agencies effective October 1, 2011; and

2. The Voluntary Program Act, through the addition of Part 1.9 to the Redevelopment Law (the "Alternative Voluntary Redevelopment Program"), then allows a redevelopment agency to avoid dissolution under the Dissolution Act by opting into an alternative voluntary redevelopment program requiring specified annual contributions to local school and special districts.

d. Specifically, Section 34193(a) of the Redevelopment Law (as added to the Redevelopment Law by the Voluntary Program Act) authorizes the City Council to enact an ordinance to comply with Part 1.9 of the Redevelopment Law, thereby exempting the Agency from the provisions of the Dissolution Act, and enabling the Agency to continue to exist and function under the Redevelopment Law, so long as the City and the Agency comply with the Alternative Voluntary Redevelopment Program set forth in Part 1.9 of the Redevelopment Law.

e. Through the adoption and enactment of this Ordinance, it is the intent of the City Council to enact the ordinance described in Section 34193(a) of the Redevelopment Law and to participate for itself and on behalf of the Agency in the Alternative Voluntary Redevelopment Program set forth in Part 1.9 of the Redevelopment Law.

f. Pursuant to Section 34193.2(b) of the Redevelopment Law, the City Council understands that participation in the Alternative Voluntary Redevelopment Program requires remittance of certain payments as set forth in the Voluntary Program Act (as further described below), and also constitutes an agreement on the part of the City, in the event the City fails to make such remittance payments, to assign its rights to any payments owed by the Agency, including, but not limited to, payments from loan agreements, to the State of California.

g. The City Council does not intend, by enactment of this Ordinance, to waive any rights of appeal regarding the amount of any remittance payments established by the California Department of Finance, as provided in the Voluntary Program Act.

SECTION 2. ENACTMENT OF ORDINANCE PURSUANT TO REDEVELOPMENT LAW SECTION 34193(a). To the extent required by law to maintain the existence and powers of the Agency under the Redevelopment Law (including the Redevelopment Restructuring Acts), the City Council hereby enacts the ordinance authorized by Section 34193(a) of the Redevelopment Law, whereby the City, on behalf of itself and the Agency, elects to and will comply with the provisions of Part 1.9 of the Redevelopment Law, including the making of the community remittance payments called for in Section 34194 of the Redevelopment Law (the "Remittance Payments"), and whereby the Agency will no longer be subject to dissolution or the other prohibitions and limitations of Parts 1.8 and 1.85 of the Redevelopment Law as added by the Dissolution Act.

SECTION 3. 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 Redevelopment Law, the City will enter into an agreement with the Agency as authorized pursuant to Section 34194.2 of the Redevelopment Law, whereby the Agency will transfer annual portions of its tax increment to the City in amounts not to exceed the annual Remittance Payments (the "Agency Transfer Payments") to enable the City, directly or indirectly, to make the annual Remittance Payments. Unless otherwise specified by resolution of the City Council, it is the City Council's intent that the City's annual Remittance Payments shall be made exclusively from the Agency Transfer Payments or from other funds that become available as a result of the City's receipt of the Agency Transfer Payments. The City Council does not intend, by enactment of this Ordinance, to pledge any of its general fund revenues or other assets to make the Remittance Payments, it being understood by the City Council that any Remittance Payments will be funded solely from the Agency Transfer Payments and/or other assets transferred to the City in accordance with the Voluntary Program Act.

SECTION 4. AUTHORIZATION OF IMPLEMENTING ACTIONS. The City Manager or the City Manager's designee is hereby authorized, on behalf of the City, to take any actions necessary to implement this Ordinance and comply with the Voluntary Program Act, including, without limitation, providing required notices to the County Auditor-Controller, the State Controller, and the Department of Finance, entering into any agreements with the Agency to obtain the Agency Transfer Payments, and making the Remittance Payments.

SECTION 5. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Sections 15061(b)(3) and 15307, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment and is a regulatory action as authorized by state law.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared invalid.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 8. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in *The Sun*, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2011, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2011, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney