

RESOLUTION NO. 16-10

A RESOLUTION OF THE LANCASTER REDEVELOPMENT AGENCY
APPROVING THE ACQUISITION AGREEMENT AND MAKING CERTAIN
FINDINGS IN CONNECTION THEREWITH

WHEREAS, the Lancaster Redevelopment Agency (the "Agency") is a duly constituted redevelopment agency and is undertaking certain activities necessary for redevelopment under the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) and pursuant to the Redevelopment Plan (the "Plan") for the Amargosa Project (the "Project"); and

WHEREAS, it is a policy of the Agency to provide public improvements which are of benefit to the Project and the project area thereof (the "Project Area"); and

WHEREAS, pursuant to Health and Safety Code Section 33445, the Agency is authorized, as provided in its redevelopment plan, to assist in the acquisition of land within the Project Area; and

WHEREAS, Section 33445 provides, in part, that notwithstanding Section 33440, an agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or without the project area, if the legislative body determines:

- "(1) That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvement is within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvement is of benefit to an adjacent project area of the agency.
- (2) That no other reasonable means of financing the buildings, facilities, structures, or other improvements, are available to the community.
- (3) That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan adopted pursuant to Section 33490."; and

WHEREAS, the Agency desires to acquire certain real property for the provision of public parking for the benefit of Lancaster City Park (the "Improvements"); and

WHEREAS, the provision of the Improvements was contemplated and provided for in the redevelopment plan for the Project, as well as the Implementation Plan for the Project and the Project Area, and would benefit the Project Area, areas within the vicinity of the Project Area, and the residents of the Project Area; and

WHEREAS, the Agency and the City of Lancaster (the "City") have explored all possible funding sources for the Improvements, including federal, state, and local sources; and

WHEREAS, there are no other reasonable means available to the Agency and the City to finance the Improvements other than Agency funds; and

WHEREAS, the City Council has reviewed evidence, including both oral testimony and writings, in connection with this matter, and has determined that the foregoing recitals, and each of them, are true and correct, and further has determined that the provision of the Improvements is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements.

NOW, THEREFORE, THE LANCASTER REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:

Section 1. The Agency hereby approves the Acquisition Agreement in the form presented at this meeting with such additions, deletions or modifications as are approved by the Executive Director. The Executive Director is hereby authorized and directed to execute the Acquisition Agreement on behalf of the Agency and to take all other actions necessary to implement the Acquisition Agreement.

Section 2. The Agency finds and determines that: (i) the provision of the Improvements is of benefit to the Project Area and the neighborhood in which such Improvements are to be situated; (ii) no other reasonable means of financing the Improvements are available to the community; and (iii) the payment of funds for the Improvements will assist in the elimination of one or more blighting conditions within the Project Area and is consistent with the adopted implementation plan.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Resolution No. 16-10, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____.

(seal)

RESOLUTION NO. 10-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER
APPROVING THE ACQUISITION AGREEMENT AND MAKING CERTAIN
FINDINGS IN CONNECTION THEREWITH

WHEREAS, the Lancaster Redevelopment Agency (the "Agency") is a duly constituted redevelopment agency and is undertaking certain activities necessary for redevelopment under the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) and pursuant to the Redevelopment Plan (the "Plan") for the Amargosa Project (the "Project"); and

WHEREAS, it is a policy of the Agency to provide public improvements which are of benefit to the Project and the project area thereof (the "Project Area"); and

WHEREAS, pursuant to Health and Safety Code Section 33445, the Agency is authorized, as provided in its redevelopment plan, to assist in the acquisition of land within the Project Area; and

WHEREAS, Section 33445 provides, in part, that notwithstanding Section 33440, an agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or without the project area, if the legislative body determines:

- "(1) That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvement is within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvement is of benefit to an adjacent project area of the agency.
- (2) That no other reasonable means of financing the buildings, facilities, structures, or other improvements, are available to the community.
- (3) That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan adopted pursuant to Section 33490."; and

WHEREAS, the Agency desires to acquire certain real property for the provisions of public parking for the benefit of Lancaster City Park (the "Improvements"); and

WHEREAS, the provision of the Improvements was contemplated and provided for in the redevelopment plan for the Project, as well as the Implementation Plan for the Project and the Project Area, and would benefit the Project Area, areas within the vicinity of the Project Area, and the residents of the Project Area; and

WHEREAS, the Agency and the City of Lancaster (the "City") have explored all possible funding sources for the Improvements, including federal, state, and local sources; and

WHEREAS, there are no other reasonable means available to the Agency and the City to finance the Improvements other than Agency funds; and

WHEREAS, the City Council has reviewed evidence, including both oral testimony and writings, in connection with this matter, and has determined that the foregoing recitals, and each of them, are true and correct, and further has determined that the provision of the Improvements is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES RESOLVE AS FOLLOWS:

Section 1. The City hereby approves the Acquisition Agreement in the form presented at this meeting with such additions, deletions or modifications as are approved by the City Manager. The City Manager is hereby authorized and directed to execute the Acquisition Agreement on behalf of the City and to take all other actions necessary to implement the Acquisition Agreement.

Section 2. The City Council finds and determines that: (i) the provision of the Improvements is of benefit to the Project Area and the neighborhood in which such Improvements are to be situated; (ii) no other reasonable means of financing the Improvements are available to the community; and (iii) the payment of funds for the Improvements will assist in the elimination of one or more blighting conditions within the Project Area and is consistent with the adopted implementation plan.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City
of Lancaster, California, do hereby certify that this is a true and correct copy of the original
Resolution No. 10-62, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this
_____ day of _____, _____.

(seal)

10th St W

AV
Mazda

Lancaster
Honda

Auto Mall Dr

Hunter
Dodge

Surplus
Site

AV
Ford

AV
Chevy

Sierra
Toyota

Avenue K-8

