

RESOLUTION NO. 18-11

RESOLUTION OF THE LANCASTER REDEVELOPMENT AGENCY AMENDING ITS ENFORCEABLE OBLIGATION PAYMENT SCHEDULE AMENDING AND REPLACING RESOLUTION 16-11 IN FULL

WHEREAS, the Lancaster Redevelopment Agency (“Agency”) is a public body, corporate and politic, formed, organized, existing and exercising its powers pursuant to the California Community Redevelopment Law, Health & Safety Code, Section 33000, *et seq.* (“CRL”), and specifically formed by the City Council (“City Council”) of the City of Lancaster (“City”); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the CRL were added by Assembly Bill X1 26 and Assembly Bill X1 27 (together, “2011 Redevelopment Legislation”), which laws purport to become effective immediately; and

WHEREAS, the 2011 Redevelopment Legislation is a part of multiple trailer bills to the FY 2011-2012 California budget bills that were approved by both Houses of the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL added by the 2011 Redevelopment Legislation (“Part 1.85”) provides for the statewide dissolution of all redevelopment agencies, including the Agency (but not dissolution of the housing authority thereof), as of October 1, 2011, and provides that, thereafter, a successor agency will administer the enforceable obligations of the redevelopment agency of the Agency and otherwise wind up the redevelopment agency’s affairs, all subject to the review and approval of an oversight committee; and

WHEREAS, Part 1.8 of the CRL added by the Redevelopment Legislation (“Part 1.8”) provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain “enforceable obligations” and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, as part of this wind up process, all redevelopment agencies are required to file a schedule of those “enforceable obligations” that require payments to be made through the end of the calendar year 2011 (“Enforceable Obligation Payment Schedule”); and

WHEREAS, the dissolution of the Redevelopment Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of Division 24 of the CRL added by the 2011 Redevelopment Legislation (“Part 1.9”) provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 (“Program”); and

WHEREAS, specifically, pursuant to Part 1.9, Parts 1.8 and 1.85 of Division 24 of the CRL, which include the Enforceable Obligation Payment Schedule requirement, will not apply to the Agency if the City enacts the ordinance to participate in the Program;

WHEREAS, the Agency is aware that the validity, passage, and applicability of the 2011 Redevelopment Legislation is the subject of judicial challenge(s), including the action: *California Redevelopment Association, et al v. Ana Matosantos, et al* ("CRA Action"); and

WHEREAS, the Agency, by the adoption of this Resolution, does not represent, disclaim, or take any position whatsoever on the issue of the validity of the 2011 Redevelopment Legislation, but rather the Agency seeks to comply with the Constitution and laws of the State of California, including the 2011 Redevelopment Legislation, in order to preserve the ability of the Agency to continue to operate and perform its obligations and thereby benefit the community; and

WHEREAS, the Agency has duly considered all other related matters and has determined that the Agency's adoption of this Resolution and evaluation of participation in the Program are in the best interests of 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 laws and requirements.

WHEREAS, the Agency adopted an Enforceable Obligation Payment Schedule with Resolution No. 16-11 on August 23, 2011. Resolution 16-11 will be replaced with this resolution, Resolution No. 18-11, amending and replacing the Enforceable Obligation Payment Schedule.

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

Section 1. The foregoing Recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. Pursuant to CRL Section 34169, the Agency hereby adopts the Amended Enforceable Obligation Payment Schedule attached hereto as Attachment No. 1. The attached Amended Enforceable Obligation Payment Schedule is that "Enforceable Obligation Payment Schedule" referred to in CRL Section 34169(g) and shall be interpreted and applied in all respects in accordance with such section and the CRL, to the fullest extent permitted by law. However, the Enforceable Obligation Payment Schedule shall only be applicable to and binding on the Agency to the extent that Part 1.8 of the Agency is applicable to the Agency. To the extent that Part 1.8 is not applicable to the Agency, whether because of the City's enactment of the Ordinance or for any other reason, the Enforceable Obligation Payment Schedule shall not be binding on or control the Agency's payments on or performance of its obligations.

Section 3. The Executive Director of the Agency is hereby authorized and directed to evaluate potential amendments to the Enforceable Obligation Payment Schedule from time to time as may be appropriate, and to recommend to the Board of the Agency the adoption of those amendments necessary for the continued payment on and performance of enforceable obligations.

Section 4. The Executive Director of the Agency is further authorized and directed to post the Amended Enforceable Obligation Payment Schedule on the City's website and to notify the county auditor, the State Department of Finance, and the Controller of the State concerning this Resolution, the Enforceable Obligation Payment Schedule, and its online publication.

Section 5. This Resolution shall in no way be construed as requiring the City to abide by the 2011 Redevelopment Legislation in the event either, or both, bills are found unconstitutional or otherwise legally invalid in whole or in part, nor shall this resolution effect or give rise to any waiver of rights or remedies the City may have, whether in law or in equity, to challenge 2011 Redevelopment Legislation. This Resolution shall not be construed as the City's willing acceptance of, or concurrence with the 2011 Redevelopment Legislation, either ABX1 26 or ABX1 27; nor does this Resolution evidence any assertion or belief whatsoever on the part of the City the 2011 Redevelopment Legislation is/are constitutional or lawful.

Section 6. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this ____ day of September, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
Agency Secretary
Lancaster Redevelopment Agency

MARVIN CRIST
Chairman
Lancaster Redevelopment Agency

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

CERTIFICATION OF RESOLUTION
LANCASTER REDEVELOPMENT AGENCY

I, _____,
Lancaster Redevelopment Agency, California, do hereby certify that this is a true and correct
copy of the original Resolution No. 18-11, for which the original is on file in my office.

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

(seal)

LANCASTER REDEVELOPMENT AGENCY
Enforceable Obligations Payment Schedule 9/27/2011

Project Name/Due Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During First Year 2011/12	PAYMENTS BY MONTH												TOTAL
					Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	TOTAL						
891 INCUBATOR MAINTENANCE	VENCO WESTERN, INC	LANDSCAPE SERVICES FOR INCUBATOR	10,362.55	10,362.55	-	-	10,362.55	-	-	-	-	-	-	-	10,362.55		
892 BUSINESS PARK MAINTENANCE	VENCO WESTERN, INC	LANDSCAPE SERVICES FOR BLP	5,151.71	5,151.71	3,293.86	-	1,857.85	-	-	-	-	-	-	-	5,151.71		
893 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1008 W AVE H-14 / STUCCO	39,600.00	39,600.00	3,289.86	787.50	7,000.00	3,300.00	3,300.00	3,300.00	3,300.00	3,300.00	3,300.00	3,300.00	18,979.86		
894 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1102 W AVE H-14 / STUCCO	1,487.50	1,487.50	1,487.50	-	-	-	-	-	-	-	-	-	1,487.50		
895 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1106 W AVE H-14 / STUCCO	1,372.40	1,372.40	1,372.40	-	-	-	-	-	-	-	-	-	1,372.40		
896 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1238 W AVE H-15 / STUCCO	4,428.00	4,428.00	756.00	-	432.00	-	-	-	-	-	-	-	1,176.00		
897 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1239 W AVE H-15 / STUCCO	3,032.00	3,032.00	3,032.00	-	-	-	-	-	-	-	-	-	3,032.00		
898 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1303 W AVE I / ROOFING	5,300.00	5,300.00	1,938.00	-	-	-	-	-	-	-	-	-	5,300.00		
899 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1307 W AVE I / ROOFING	5,300.00	5,300.00	3,580.00	-	-	-	-	-	-	-	-	-	5,300.00		
900 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1315 W AVE I / STUCCO	5,300.00	5,300.00	4,400.00	-	-	-	-	-	-	-	-	-	5,300.00		
901 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1323 W AVE I / STUCCO	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	5,300.00		
902 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1333 W AVE I / STUCCO	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	5,300.00		
903 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1339 W AVE I / STUCCO	5,300.00	5,300.00	4,400.00	-	-	-	-	-	-	-	-	-	5,300.00		
904 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1341 W AVE I / FINISH CARPENTRY	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	5,300.00		
905 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	1501 NUGENT / STUCCO	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	5,300.00		
906 E. DORADO INHILL HOUSING	VENCENT PONE PLASTERING I	4345 12TH ST W / STUCCO	606.00	606.00	1,908.00	-	-	-	-	-	-	-	-	-	2,514.00		
907 LOW RISE INHILL HOUSING	VENCENT PONE PLASTERING I	4509 KINGTBEL / STUCCO	1,307.00	1,307.00	963.00	-	-	-	-	-	-	-	-	-	2,270.00		
908 DESERT VIEW INHILL HOUSING	VENCENT PONE PLASTERING I	BUILDING DEMOLITION (PARK VIEW) - 44052 AND 443	47,290.00	47,290.00	4,729.00	-	-	-	-	-	-	-	-	-	47,290.00		
909 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	1008 W AVE H-14	545.00	545.00	-	-	-	-	-	-	-	-	-	-	545.00		
910 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	1102 W AVE H-14	545.00	545.00	-	-	-	-	-	-	-	-	-	-	545.00		
911 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	1309 EDYBEN	545.00	545.00	545.00	-	-	-	-	-	-	-	-	-	545.00		
912 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	1309 EDYBEN	545.00	545.00	545.00	-	-	-	-	-	-	-	-	-	545.00		
913 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	1259 W AVE H-14	545.00	545.00	545.00	-	-	-	-	-	-	-	-	-	545.00		
914 DESERT VIEW INHILL HOUSING	WASSON ROOFING & GEN CNTR	4488 RODIN	57,060.00	57,060.00	57,060.00	29,543.00	22,735.00	5,704.00	5,704.00	5,704.00	5,704.00	5,704.00	5,704.00	57,060.00			
915 FORECLOSURE PRESERVATION PROGRAM	WASSON ROOFING & GEN CNTR	45839 KINGTBEL / ROOFING	1,300.00	5,300.00	-	-	-	5,200.00	-	-	-	-	-	-	6,500.00		
916 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1238 W AVE H-15 / ROOFING	5,300.00	5,300.00	5,300.00	4,880.00	-	-	-	-	-	-	-	-	10,180.00		
917 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1239 W AVE H-15 / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
918 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1307 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	4,880.00	-	-	-	-	-	-	-	-	10,180.00		
919 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1307 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
920 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1315 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
921 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1323 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
922 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1333 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
923 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1339 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
924 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	1341 W AVE I / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
925 DESERT VIEW INHILL HOUSING	WESTERN PACIFIC ROOFING C	350 E NUGENT / ROOFING	5,300.00	5,300.00	5,300.00	-	-	-	-	-	-	-	-	-	10,600.00		
926 E. DORADO INHILL HOUSING	WESTERN PACIFIC ROOFING C	350 E NUGENT / ROOFING	5,300.00	5,300.00	5,300.00	4,880.00	-	-	-	-	-	-	-	-	10,180.00		
927 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1209 BOWDEN / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	150.00	-	380.00	-	-	-	-	-	-	6,380.00		
928 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1238 W AVE H-15 / REMAINING	17,200.00	17,200.00	4,000.00	-	3,880.00	-	-	-	-	-	-	-	25,080.00		
929 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1258 W AVE H-15 / REMAINING	4,710.00	4,710.00	1,320.00	1,320.00	-	-	-	-	-	-	-	-	7,350.00		
930 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1258 W AVE H-15 / FINISH CARPENTRY	2,875.00	2,875.00	5,750.00	-	-	-	-	-	-	-	-	-	8,625.00		
931 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1303 W AVE I / ROOFING	5,450.00	5,450.00	5,450.00	1,350.00	-	-	-	-	-	-	-	-	6,800.00		
932 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1307 W AVE I / FINISH CARPENTRY	4,710.00	4,710.00	3,622.50	-	-	-	-	-	-	-	-	-	8,332.50		
933 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1315 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
934 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1323 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
935 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1333 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
936 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1339 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
937 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1341 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
938 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1341 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
939 DESERT VIEW INHILL HOUSING	WHITE STONE CONSTRUCTION	1341 W AVE I / FINISH CARPENTRY	5,450.00	5,450.00	5,450.00	-	-	-	-	-	-	-	-	-	10,900.00		
940 E. DORADO INHILL HOUSING	WHITE STONE CONSTRUCTION	350 E NUGENT / FINISH CARPENTRY	4,100.00	4,100.00	3,880.00	-	-	410.00	-	-	-	-	-	-	8,390.00		
941 E. DORADO INHILL HOUSING	WHITE STONE CONSTRUCTION	350 E NUGENT / FINISH CARPENTRY	4,100.00	4,100.00	3,880.00	-	-	410.00	-	-	-	-	-	-	8,390.00		
942 E. DORADO INHILL HOUSING	WHITE STONE CONSTRUCTION	350 E NUGENT / FINISH CARPENTRY	4,100.00	4,100.00	3,880.00	-	-	410.00	-	-	-	-	-	-	8,390.00		
TOTALS			\$ 558,977,952.24	\$ 28,395,001.32	\$ 9,257,888.28	\$ 671,797.16	\$ 2,830,234.02	\$ 644,813.10	\$ 1,628,875.37	\$ 1,182,388.67	\$ 16,234,105.10						