

STAFF REPORT

City of Lancaster

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Date: August 25, 2009

To: Mayor Parris, City Council Members and Agency Board Members

From: Vern Lawson, Economic Development and Redevelopment Director
Urban Futures, Inc., Agency Advisors

Subject: **Resolutions of the City Council of the City of Lancaster and the Lancaster Redevelopment Agency Consenting to and Authorizing a Joint Public Hearing of the City Council of the City of Lancaster and the Lancaster Redevelopment Agency in Connection with the Preparation of the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project and Environmental Documents Prepared Therefore, and Directing Notification of the Same**

Recommendation:

Adopt **Resolution No. 09-78**, consenting to and authorizing a joint public hearing of the City Council of the City of Lancaster (the "City Council") and the Lancaster Redevelopment Agency (the "Agency") in connection with the preparation of the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project (the "Project" or the "Project Area," as appropriate), and environmental documents prepared therefore, and directing notification of the same.

Fiscal Impact:

None.

Background:

The City Council and the Agency have initiated preparation and processing of the Proposed "Amendment No. 2" to the Plan (hereafter the Plan as proposed to be amended by Amendment No. 2, is referred to as the "Amended Plan") for the Project, for the sole purpose of extending the Agency's eminent domain authority, as permitted by California Community Redevelopment Law (CCRL; Health and Safety Code Section 33000 *et seq.*, specifically CCRL Section 33333.4(g)(2)), which authority expired in July 2007. Adoption of Amendment No. 2 would extend the time limitation for commencement of eminent domain proceedings to acquire property, except property on which any person resides, within the Project Area for an additional 12-year period.

The necessity to extend eminent domain authority is based upon the fact that, where and under the circumstances permitted, condemnation of real property (on which no persons reside) may be necessary for successful implementation of the Plan. The Amended Plan will provide that any eminent domain proceedings initiated by the Agency must commence within 12 years from the date of the Ordinance adopting Amendment No. 2. Extending the Agency's eminent domain authority permits the Agency to better and more effectively administer projects and programs within the Project Area and to continue to help alleviate blighting conditions, increase economic opportunities

and provide affordable housing for qualifying persons/families within the Project Area and the surrounding community.

A public workshop addressing Amendment No. 2 objective will be held for interested persons prior to the joint public hearing. The workshop is tentatively set to occur within the month of August.

VL:tbe

Attachment:

Resolution No. 09-79