

RESOLUTION NO. 19-09

A RESOLUTION OF THE LANCASTER REDEVELOPMENT AGENCY
CONSENTING TO A JOINT PUBLIC HEARING WITH THE CITY COUNCIL
OF THE CITY OF LANCASTER REGARDING 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

WHEREAS, the Lancaster Redevelopment Agency (the "Agency") is a duly constituted redevelopment agency under the laws of the State of California and pursuant to such laws is responsible for the administration and implementation of redevelopment activities within the City of Lancaster (the "City"); and

WHEREAS, by its Ordinance No. 289 dated December 20, 1982, the City Council of the City of Lancaster (the "City Council") adopted the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (the "Project") pursuant to procedures codified within the California Community Redevelopment Law (the "CCRL;" Health and Safety Code Section 33000 *et seq.*); and

WHEREAS, on December 5, 1994, the City Council adopted Ordinance No. 671 amending the Plan to conform to certain time limit requirements mandated by CCRL Section 33333.6 (Assembly Bill 1290) enacted subsequent to Plan adoption; and

WHEREAS, on June 5, 1995, the City Council adopted Ordinance No. 639, which further amended the Plan for the purpose of extending the Agency's eminent domain authority within the Project Area for a period of twelve (12) years from the effective date of Ordinance No. 639; and

WHEREAS, the Agency's eminent domain authority expired in July 2007 in accordance with the 12-year time limit codified in the Plan, as previously amended by Ordinance No. 639; and

WHEREAS, the City Council and the Agency have initiated preparation and processing of the proposed Amendment No. 2 (the "Amendment") to the Plan for the Project for the sole purpose of extending the Plan's eminent domain authority and extending that authority for the maximum permissible period of 12 years in accordance with CCRL Section 33333.4(g)(2); and

WHEREAS, the CCRL provides for the convening of a joint public hearing of an agency and city council, and for publication and transmittal of notice of the same, and to have any interested persons be heard with respect to a proposed redevelopment plan amendment and any related matters; and

WHEREAS, the purpose of this resolution is to obtain the consent of the Agency to hold a joint public hearing with the City Council on the Amendment and any related matters including the environmental documents prepared in connection therewith.

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

SECTION 1. The above recitals are true and correct and are a substantive part of this resolution.

SECTION 2. The Agency consents to the convening of a joint public hearing with the City Council in the Lancaster City Hall Council Chambers, 44933 N. Fern Avenue, Lancaster, CA 93534 for the purpose of considering the Amendment, environmental documents, and any other related matters.

SECTION 3. The Agency hereby directs the Agency Secretary, working with City and Agency staff and advisors, to set the date and time of the joint public hearing. The Agency Secretary, also in cooperation with City and Agency staff, and advisors, is hereby authorized and directed to provide notice of the joint public hearing (composed in substantially the form and content included herewith in Attachment "A") in accordance with all applicable legal requirements.

SECTION 4. The Agency Secretary shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
Agency Secretary
Lancaster Redevelopment Agency

R. REX PARRIS
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. 19-09, 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)

ATTACHMENT "A"

NOTICE OF JOINT PUBLIC HEARING

NOTICE OF JOINT PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF LANCASTER AND THE LANCASTER REDEVELOPMENT AGENCY REGARDING THE PROPOSED AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR THE LANCASTER FOX FIELD REDEVELOPMENT PROJECT AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT RELATED THERETO

NOTICE IS HEREBY GIVEN that a joint public hearing will be held before the City Council of the City of Lancaster (the "City Council") and the Lancaster Redevelopment Agency (the "Agency"):

DATE OF HEARING:	November 10, 2009
TIME OF HEARING:	6:00 p.m., or as soon thereafter as possible
PLACE OF HEARING:	City Hall Council Chambers 44933 N. Fern Avenue Lancaster, CA 93534

The purpose of this hearing is to consider approval and adoption of the proposed amendment ("Amendment No. 2") to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project (the "Project" or the "Project Area," as appropriate), and to consider adoption of the Negative Declaration of Environmental Impact (the "Negative Declaration") for Amendment No. 2. The Agency is proposing Amendment No. 2 for the sole purpose of extending the Agency's eminent domain authority, as permitted by the California Community Redevelopment Law (CCRL; Health and Safety Code, Section 33000 *et seq.*), specifically Section 33333.4(g)(2). 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 a 12-year period. Extending the Agency's eminent domain authority will permit 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 development opportunities, and provide additional affordable housing for qualified persons/families within the Project Area and the larger community.

NOTICE IS FURTHER HEREBY GIVEN that the City Council and the Agency will, at the same time and place, hold a joint public hearing to consider and adopt the Negative Declaration for Amendment No. 2 in accordance with the California Environmental Quality Act (CEQA). The Initial Study and Environmental Checklist for Amendment No. 2, and the Negative Declaration of Environmental Impact are available for public inspection in the office of the City

Clerk located at the address below until the aforesaid date and time of the joint hearing. All evidence and testimony presented in writing prior to or at the joint public hearing, or presented orally at the joint public hearing for or against adoption of the Negative Declaration will be considered by the City Council and Agency. At the day, hour and place of said joint public hearing, any and all persons desiring to comment on, or having objections to the content or adequacy of the Negative Declaration may appear and be heard before the City Council and the Agency Board.

All persons having objections to Amendment No. 2 or the related Negative Declaration, or to the regularity of any of the prior proceedings related to Amendment No. 2 or the related Negative Declaration, may submit written comments/objections or may appear at the joint public hearing of the Agency and City Council and show cause why Amendment No. 2 should not be adopted.

At any time no later than the aforesaid hour set for the joint public hearing, any person or organization may file a written statement with the City Clerk of the City of Lancaster, at the address below, of his/her/its objections to adoption of Amendment No. 2. Any person or organization desiring to be heard will be given an opportunity to be heard at the joint public hearing. At the aforesaid hour, the City Council and the Agency shall proceed to hear and pass upon all written and oral objections to Amendment No. 2 prepared in accordance with the CCRL, and proceed to hear and pass upon all oral and written objections to the Negative Declaration or related matters. The Agency and the City Council shall consider all evidence and testimony for and against approval and adoption of Amendment No. 2.

NOTICE IS FURTHER HEREBY GIVEN to any person or organization who desires to present objections to Amendment No. 2, or allegations of noncompliance with the CCRL, CEQA, or other applicable laws, that such person or organization may be precluded from raising such issue(s) in a subsequent legal action or proceeding challenging Amendment No. 2, unless the objections or alleged grounds for noncompliance were presented by the person or organization in writing prior to the joint public hearing, or were presented orally or in writing at the joint public hearing.

A map of the Project Area is included with this Notice. A legal description of the Project Area, (recorded with the Los Angeles County Recorder's Office, Instrument Nos.: 82-1278274 and 82-1283256) is available for public review at the City Clerk's Office, at the address below, Monday through Thursday, 8:00 a.m. to 6:00 p.m.; Friday, 8 a.m. to 5 p.m. A copy of the legal description is available, upon request, free of charge.

In order to give all interested citizens in the Project Area an opportunity to fully understand the redevelopment plan amendment process, the Agency has scheduled the following informational workshop:

Date: [TBD]
Time: [TBD]
Place: [TBD]

NOTICE IS FURTHER HEREBY GIVEN that interested persons may review the draft Amendment No. 2 to the Plan, the related Negative Declaration, the Initial Study and Environmental Checklist, the Agency's proposed eminent domain policy for the Project Area, and other information pertaining to Amendment No. 2 at the City Clerk's Office. The Agency's Report to the City Council on Amendment No. 2 will be presented at the joint public hearing and should be available for public review not less than one week prior to the joint public hearing date.

Any person or organization having specific questions regarding Amendment No. 2 or the related Negative Declaration may contact the Agency at (661) 723-6128. Written objections must be submitted to the Agency through the Lancaster City Clerk's Office, City of Lancaster, 44933 North Fern Avenue, Lancaster, CA 93534 prior to the hour set for the joint public hearing or presented at, or prior to the close of, the joint public hearing described in this notice.

Geri K. Bryan, City Clerk

Date

Published: [3 times, dates TBD]