

RESOLUTION NO. 16-11

RESOLUTION OF THE LANCASTER REDEVELOPMENT  
AGENCY ADOPTING ITS ENFORCEABLE OBLIGATION  
PAYMENT SCHEDULE

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 of the 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 City intends to adopt the ordinance required by Part 1.9, in order to allow the redevelopment agency of the Agency to continue in operation and performing its functions (“Ordinance”); and

WHEREAS, subject to the contingencies and reservations set forth herein, the Agency nevertheless desires to adopt an Enforceable Obligation Payment Schedule and to amend it from time to time as necessary; and

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.

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 Enforceable Obligation Payment Schedule attached hereto as Attachment No. 1. The attached 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 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 \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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GERI K. BRYAN, CMC  
Agency Secretary  
Lancaster Redevelopment Agency

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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. 16-11, 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, 8/23/2011

Project Name/Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011/12	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	TOTAL
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1203 BIODEN - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1209 W AVE H14 - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	4509 KINGTREE - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
EL CONADO INFILL HOUSING	DUKE & SIMS	350 E NUGENT - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1208 W AVE H15 - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1209 BIODEN - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1303 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1307 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1313 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1319 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1323 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	DUKE & SIMS	1341 W AVE I - APPLIANCES	1,500.00	1,500.00			1,500.00				1,500.00
DESERT VIEW INFILL HOUSING	ELECTRIC-OM	1003 W B-ELECTRICAL CHECK	65.00	65.00							65.00
DESERT VIEW INFILL HOUSING	ELECTRIC-OM	45534 GANDES-PHONE LINE INSTL	130.00	130.00							130.00
DESERT VIEW INFILL HOUSING	ELECTRIC-OM	45003 KINGTREE-ROUGH ELECTRICAL	4,500.00	4,500.00							4,500.00
DESERT VIEW INFILL HOUSING	ELECTRIC-OM	1209 W H14-ROUGH ELECTRICAL	4,500.00	4,500.00							4,500.00
DESERT VIEW INFILL HOUSING	ELECTRIC-OM	1209 BIODEN-ROUGH ELECTRICAL	4,500.00	4,500.00							4,500.00
FORECLOSURE PRESERVATION PROGRAM	ELECTRIC-OM	44935 30DIN-POOL REPAIRS	500.00	500.00			500.00				500.00
PROFESSIONAL SERVICES - ED	EMANUELS, JONES & ASSOCIATES	05/11-LEGISLATIVE REP SERVICES	1,050.00	1,050.00			1,050.00				1,050.00
PROFESSIONAL SERVICES - ED	EMANUELS, JONES & ASSOCIATES	05/11-LEGISLATIVE REP SERVICES	1,050.00	1,050.00			1,050.00				1,050.00
PROFESSIONAL SERVICES - HSG	EMANUELS, JONES & ASSOCIATES	05/11-LEGISLATIVE REP SERVICES	1,050.00	1,050.00			1,050.00				1,050.00
PROFESSIONAL SERVICES - HSG	EMANUELS, JONES & ASSOCIATES	05/11-LEGISLATIVE REP SERVICES	1,050.00	1,050.00			1,050.00				1,050.00
FORECLOSURE PRESERVATION PROGRAM	F. J. HEATING & AIR CONDITIONING	727 W H8-CLEAN/AUSTRATED COOLER	65.00	65.00							65.00
FORECLOSURE PRESERVATION PROGRAM	F. J. HEATING & AIR CONDITIONING	422 LANDSFORD-REPAIR EVAP COOL	280.00	280.00							280.00
FORECLOSURE PRESERVATION PROGRAM	F. J. HEATING & AIR CONDITIONING	809 W H8-EVAP REPAIR EVAP COOL	1,450.00	1,450.00							1,450.00
FORECLOSURE PRESERVATION PROGRAM	F. J. HEATING & AIR CONDITIONING	HEATER UNIT/THRUST INSTALLTN	1,500.00	1,500.00							1,500.00
FORECLOSURE PRESERVATION PROGRAM	F. J. HEATING & AIR CONDITIONING	3660 W K10-A/C UNIT WIRE/INSTL	1,800.00	1,800.00							1,800.00
FORECLOSURE PRESERVATION PROGRAM	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	1,500.00	1,500.00			1,500.00				1,500.00
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	1,600.00	1,600.00			1,600.00				1,600.00
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	14.97	14.97							14.97
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	22.33	22.33							22.33
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	96.42	96.42							96.42
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	29.94	29.94							29.94
ADMINISTRATION COSTS	FEDERAL EXPRESS CORPORATION	EXPRESS MAILINGS	56.14	56.14							56.14
ADMINISTRATION COSTS	FIDELITY NAT'L TITLE COMPANY	45141 BECH-TILE P/L/REC FEES	836.95	836.95							836.95
ADMINISTRATION COSTS	FIDELITY NAT'L TITLE COMPANY	43749 12W-RETENTION	180.90	180.90							180.90
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	1189 W H8-RETENTION	180.90	180.90							180.90
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	45093 KINGTREE-INSULTN INSTLTN	1,039.50	1,039.50							1,039.50
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	1203 BIODEN-INSULATION INSTLTN	1,039.50	1,039.50							1,039.50
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	1209 W H14-INSULATION INSTLTN	1,039.50	1,039.50							1,039.50
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	1102 W H14-INSULATION INSTLTN	1,039.50	1,039.50							1,039.50
ADMINISTRATION COSTS	FIVE STAR INSULATION INC	1008 W H14-INSULATION INSTLTN	1,039.50	1,039.50							1,039.50
ADMINISTRATION COSTS	FRANWORKS CONSTRUCTION, INC	43745 12W-RETENTION	1,569.00	1,569.00							1,569.00
ADMINISTRATION COSTS	FRANWORKS CONSTRUCTION, INC	1189 W H8-RETENTION	1,775.30	1,775.30							1,775.30
ADMINISTRATION COSTS	FRANWORKS CONSTRUCTION, INC	45093 KINGTREE-WINDOWS	2,717.10	2,717.10							2,717.10
ADMINISTRATION COSTS	FRANWORKS CONSTRUCTION, INC	45093 KINGTREE-LUMBER	5,517.00	5,517.00							5,517.00
ADMINISTRATION COSTS	FRANWORKS CONSTRUCTION, INC	45093 KINGTREE-ROUGH CARPENTRY	5,940.00	5,940.00							5,940.00
ADMINISTRATION COSTS	HANIS & ASSOCIATES, INC	1209 H14-LUMBER/TRUSSES/LABOR	6,201.00	6,201.00							6,201.00
ADMINISTRATION COSTS	HANIS & ASSOCIATES, INC	1008 H14-LUMBER/TRUSSES/LABOR	6,750.00	6,750.00							6,750.00
ADMINISTRATION COSTS	HANIS & ASSOCIATES, INC	1209 BIODEN-TRUSSES/LABOR	6,948.00	6,948.00							6,948.00
ADMINISTRATION COSTS	HANIS & ASSOCIATES, INC	1209 BIODEN-TRUSSES/LABOR	9,471.00	9,471.00							9,471.00
ADMINISTRATION COSTS	HANIS & ASSOCIATES, INC	4482 E H14-REAR TRUSSES/LABOR	9,600.00	9,600.00							9,600.00
ADMINISTRATION COSTS	HES CONSTRUCTION INC	1209 W H15-WTR ATR INSTL'S	65.00	65.00							65.00
ADMINISTRATION COSTS	HES CONSTRUCTION INC	1209 W H15-SWAMP CLR INSTLTN	900.00	900.00							900.00
ADMINISTRATION COSTS	HES CONSTRUCTION INC	VEHICLE MAINTENANCE	1,200.00	1,200.00							1,200.00
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	2,000.00	2,000.00							2,000.00
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	6.35	6.35							6.35
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	6.50	6.50							6.50
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	12.72	12.72							12.72
ADMINISTRATION COSTS	HES CONSTRUCTION INC	Oil/AIR FILTER-EO7503	13.58	13.58							13.58
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	14.68	14.68							14.68
ADMINISTRATION COSTS	HES CONSTRUCTION INC	WIPER BLADE(S)	25.21	25.21							25.21
DEMOLITION - HOUSING	350 E NUGENT-DEMO/RMV-BLGS/PL	2,980.00	2,980.00								2,980.00
DEMOLITION - HOUSING	45534-45502 10W-ASP/CMCT RMVL	6,765.00	6,765.00								6,765.00
DEMOLITION - HOUSING	1209 BIODEN-1339-ASBSTS/DEMO	4,500.00	4,500.00								4,500.00
DEMOLITION - HOUSING	1209 BIODEN-1339-ASBSTS/DEMO	11,700.00	11,700.00								11,700.00
DESERT VIEW INFILL HOUSING	KELLEY TREE SERVICE	1209 BIODEN - CROWN REDUCTION	900.00	900.00							900.00
PROFESSIONAL SERVICES - ED	ART GLASS AWARDS W/STAND(S)	685.93	685.93								685.93
DESERT VIEW INFILL HOUSING	L.A. CO SANITATION DISTRICT	1307 W AVE I - SANITATION HOOKUP	6,190.00	6,190.00			6,190.00				6,190.00





