AMEND. & REINSTATED REDEVP. PLAN ADOPTING 8TH AMENDMENT 09-13 (O-4), 07/08/09.
ORDINANCE NO. 09-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD AMENDING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE MERGED INGLEWOOD REDEVELOPMENT PROJECT AND ADOPTING THE EIGHTH AMENDMENT TO THE PROVISIONS FOR THE MANCHESTER-PRAIRIE PROJECT AREA AND TENTH AMENDMENT TO PROVISIONS FOR THE CENTURY PROJECT AREA

WHEREAS, the Inglewood Redevelopment Agency ("Agency") is a community redevelopment agency duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the California Community Redevelopment Law (Part 1 of Division 24, commencing with Section 33000, of the Health and Safety Code of the State of California ("CRL"); and

WHEREAS, the Redevelopment Plan for the Manchester-Prairie Redevelopment Project was adopted by the Agency's legislative body, the City Council of the City of Inglewood ("City Council") on December 26, 1972 by Ordinance No. 2133 and the Redevelopment Plan for the Century Redevelopment Project was adopted by the City Council on July 7, 1981 by Ordinance No. 2450, (collectively the "Redevelopment Plans"); and

WHEREAS, the City Council has adopted seven amendments to the Redevelopment Plan for the Manchester-Prairie Redevelopment Project on May 24, 1982 by Ordinance No. 2418 to change certain land uses; on December 16, 1986 by Ordinance No. 2552 to add certain time limits required by Senate Bill 690; on December 20, 1994 by Ordinance No. 94-29 to conform time limits to Assembly Bill 1290; on July 16, 1996 by Ordinance No. 96-14 to merge the Project with the City's five other redevelopment project areas, establish a single combined tax increment limit for the merged project area ("Merged Project Area") and extend time limits; on September 18, 2007 by Ordinance No. 07-17 to extend the Plan effectiveness limit and the date to repay debt and receive tax increment by one year per Senate Bill 1045 in recognition of payments to the Educational Revenues Augmentation Fund (ERAF) in fiscal year 2003-2004; on September 18, 2007 by Ordinance No. 07-18 to extend the Plan effectiveness limit and the date to repay debt and receive tax increment by two years per Senate Bill 1096 in recognition of payments to ERAF in fiscal years 2004-05 and 2005-06; and on May 20, 2008 by Ordinance No. 08-13 to establish eminent domain for 12 years; and

WHEREAS, the City Council has adopted nine amendments to the Redevelopment Plan for the Century Redevelopment Project Area on June 29, 1993 by Ordinance No. 93-18 to extend eminent domain authority; on November 22, 1994 by Ordinance No. 94-24 to change certain land uses; on December 20, 1994 by Ordinance No. 94-31 to conform time limits to Assembly Bill 1290; on July 16, 1996 by Ordinance No. 96-15 to merger the Project Area with the City's five other redevelopment project
areas, establish a single combined tax increment limit for the Merged Project Area and extend time limits; on February 26, 2002 by Ordinance No. 02-09 to add territory to the Project Area including the Forum site and the non-contiguous area along West Manchester Boulevard; on August 13, 2004 by Ordinance No. 07-18 to change land uses for the Forum site; on September 18, 2007 by Ordinance No. 07-17 to extend the Plan effectiveness limit and the date to repay debt and receive tax increment by one year per Senate Bill 1045 in recognition of payments to the ERAF in fiscal year 2003-2004; on September 18, 2007 by Ordinance No. 07-18 to extend the Plan effectiveness limit and the date to repay debt and receive tax increment by two years per Senate Bill 1096 in recognition of payments to ERAF in fiscal years 2004-05 and 2005-06; and on May 20, 2008 by Ordinance No. 08-13 to establish eminent domain for 12 years; and

WHEREAS, the City Council adopted a combined Amended and Restated Redevelopment Plan for the Merged Inglewood Project ("Amended and Restated Redevelopment Plan") on July 30, 1996 by Ordinance No.'s 96-11, 96-12, 96-13, 96-14, 06-15 and 06-16, which amended, restated, and superseded in their entirety, the redevelopment plans which had been adopted and amended for the constituent projects that comprise the Merged Project Area including In-Town, La Cienga, Manchester-Prairie, North Inglewood Industrial Park, Century, and Imperial Prairie Redevelopment Projects; and

WHEREAS, the ordinances adopting the Amended and Restated Redevelopment Plan (collectively, the "Original Ordinances"), including the findings and determinations made by the City Council therein are made a part hereof by reference, and are final and conclusive, there having been no action timely brought to question the validity of the Amended and Restated Redevelopment Plan; and

WHEREAS, the Agency again desires to amend the Amended and Restated Redevelopment Plan as it pertains to the provisions for the Manchester-Prairie Project Area ("Eighth Amendment"), the Century Redevelopment Project Area ("Tenth Amendment") collectively the "Amendments" to amend certain land uses; and

WHEREAS, the Planning Commission of the City of Inglewood ("Planning Commission") has reviewed the Amendments and recommended the approval and adoption of the Amendments, together with its certification that the Amendments conform to the General Plan; and

WHEREAS, the City Council has received from the Agency the proposed Amendments, a copy of which is on file at the office of the City Clerk, Inglewood City Hall, One West Manchester Boulevard, California, the Agency's Report to the City Council on the Amendments, including the reasons for the Amendments; proposed project; the proposed method of financing the continued redevelopment of the Merged Project Area; the method or plan for relocation; the implementation plan; the report of the Planning Commission of the City with respect to the conformity of the Amendments with the General Plan; a neighborhood impact report; environmental compliance; a summary of consultations with Merged Project Area property owners, businesses and
WHEREAS, a Project Area Committee was not required to be formed in connection with the Amendments because the proposed Amendments do not alter the Agency's authority to use eminent domain and does not add any territory to the Merged Project Area; and

WHEREAS, the City Council and the Agency held a joint public hearing on June 8, 2009 on the adoption of the Amendments in the City Council Chambers, City Hall, One Manchester Boulevard, Inglewood California; and

WHEREAS, the joint public hearing was originally noticed for May 28, 2009. Staff requested that that the City Council and Redevelopment Agency continue the hearing date to June 3, 2009. The City Council and Redevelopment Agency agreed to continue the May 28, 2009 hearing to June 3, 2009. The City Council and Redevelopment Agency subsequently continued the June 3, 2009 joint public hearing to June 8, 2009; and,

WHEREAS, notice of said joint public hearing was duly and regularly published in a newspaper of general circulation in the City, once a week for four successive weeks prior to the date of such joint public hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of joint public hearing were mailed by first class mail to the last known address of each assessees of each parcel of land in the Merged Project Area, as shown on the last equalized assessment roll of the County of Los Angeles; and

WHEREAS, copies of the notice of joint public hearing were mailed by first class mail to all residents and businesses in the Merged Project Area; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency that receives taxes from property in the Merged Project Area; and

WHEREAS, the City Council has considered the report and recommendation of the Planning Commission, the Agency's Report to the City Council, the Environmental Impact Report, the Amendments, has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Amendments and has made written findings in response to each written objection of an affected property owner or taxing entity, if any, filed with the City Clerk before or during such joint public hearing; and

WHEREAS, all actions required by law have been taken by all appropriate public bodies.
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The purpose and intent of the City Council with respect to the Amendments is to amend the permitted land uses for the Manchester-Prairie and Century Project Areas to provide that they shall be the land uses designated in the General Plan, as it currently exists and as it may be amended from time to time. This action will enable the Agency to fully achieve the goals and objectives for redevelopment of the Merged Project Area pursuant to the Amended and Restated Redevelopment Plan and allow for the future development and redevelopment of the Merged Project Area in accordance with the General Plan thereby further eliminating existing blighting conditions that remain in the Merged Project Area and preventing the reoccurrence of blighting conditions.

Section 2. Based on the evidence in the record, including, but not limited to, the Agency’s Report to the City Council on the Amendments prepared in accordance with CRL Section 33352, and all documents referenced therein, and evidence and testimony received at the joint public hearing on adoption of the Amendments held on June 3, 2009, the City Council hereby makes the following findings and determinations as warranted by the Amendments:

a) The Amendments will permit the continued redevelopment of the Merged Project Area in conformity with the CRL and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that the Amendments will provide for the ongoing consistency of permitted land uses between the Amended and Restated Redevelopment Plan and the City’s General Plan for property within the Manchester-Prairie and Century Project Areas. This action will enable the Agency to fully achieve the goals and objectives for redevelopment of the Merged Project Area pursuant to the Amended and Restated Redevelopment Plan and allow for the future development and redevelopment of the Merged Project Area in accordance with the General Plan thereby further eliminating existing blighting conditions that remain in the Merged Project Area and preventing the reoccurrence of blighting conditions.

b) The adoption and carrying out of the Amendments is economically sound and feasible. This finding is based on the fact that under the Amended and Restated Redevelopment Plan, as amended by the Amendments, the Agency will continue to be authorized to seek and utilize a variety of potential financing resources, including property tax increment revenues; that the nature and timing of public redevelopment assistance within the Merged Project Area will continue to depend upon the amount and availability of such financing resources, including tax increment generated by new investment in the Merged Project Area; that under the Amended and Restated Redevelopment Plan, as amended by the Amendments, no public redevelopment activity can be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity; and that the Amendments do not alter the financing plan.
previously prepared and included within the Agency's Reports to the City Council prepared for the Redevelopment Plans or the Amended and Restated Redevelopment Plan.

c) The Amendments are consistent with the General Plan, including, but not limited to, the Housing Element of the General Plan, which substantially complies with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. This finding is based upon the General Plan and the findings of the Planning Commission that the Amendments conform to the General Plan as set forth in its Resolution No. 1555.

d) The carrying out of the Amendments would promote the public peace, health, safety and welfare of the City and would effectuate the purposes and policies of the CRL. This finding is based on the fact that the Amendments will provide for the ongoing consistency of permitted land uses between the Amended and Restated Redevelopment Plan and the City’s General Plan for property within the Merged Project Area. This action will enable the Agency to fully achieve the goals and objectives for redevelopment of the Merged Project Area pursuant to the Amended and Restated Redevelopment Plan and allow for the future development and redevelopment of the Merged Project Area in accordance with the General Plan thereby further eliminating existing blighting conditions that remain in the Merged Project Area and preventing the reoccurrence of blighting conditions.

e) The Agency has a feasible method and plan for the relocation of families and persons who might be displaced, temporarily or permanently, from housing facilities in the Merged Project Area. This finding is based upon the facts set forth in the Agency's Report to the City Council, in particular that the Agency has adopted the relocation guidelines promulgated by the California Department of Housing and Community Development requiring that relocation assistance and benefits be provided.

f) There are, or shall be provided, within the Merged Project Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who might be displaced from the Merged Project Area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to CRL Sections 33411 and 33411.1, and dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to CRL Sections 33334.5, 33413 and 33413.5.

Section 3. The City Council is satisfied that permanent housing facilities will be available within three years from the time residential occupants of the Merged Project Area, if any, are displaced, and that pending the development of such facilities, there will be available to any such displaced residential occupants temporary housing facilities
at rents comparable to those in the City at the time of their displacement. No persons or families of low and moderate income shall be displaced from residences unless and until there are suitable housing units available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings.

Section 4. The City Council is satisfied that written findings have been adopted in response to each written objection of an affected property owner or taxing entity received either before or during the noticed joint public hearing on the Amendments. Having considered all evidence and testimony presented for or against any aspect of the Amendments, the City Council hereby overrules all written and oral objections to the Amendments.

Section 5. Pursuant to the California Environmental Quality Act, Public Resources Code, §§ 21000, et seq. (CEQA), the City prepared an Environmental Impact Report (EIR) for the Hollywood Park Redevelopment Project, including the Amendments (State Clearinghouse No. 2007111018), which analyzes adverse environmental impacts of the Hollywood Park Redevelopment Project and the Amendments. Prior to approving the Amendments, the City Council reviewed and considered the EIR and adopted Resolution No. 09−43, and the Agency adopted Resolution No. R09−07 certifying the EIR, making certain environmental findings, adopting a Statement of Overriding Considerations for significant and unavoidable impacts of the Redevelopment Project and Amendments that would remain even with the implementation of necessary mitigation measures specified in the EIR, and adopting a Mitigation Monitoring and Reporting Program. City Resolution No. 09−43 and Agency Resolution No. R09−07 are incorporated herein by reference. The City Council hereby finds the EIR, environmental findings and Statement of Overriding Considerations adopted in conjunction therewith are adequate for the Amendments, and further adopts the mitigation measures in the Mitigation Monitoring and Reporting Program as part of the Amendments proceedings.

Section 6. The Amended and Restated Redevelopment Plan, as adopted by the Original Ordinances, is hereby further amended as set forth in the Amendments attached hereto as Exhibits A and B. As so amended, the Amended and Restated Redevelopment Plan is hereby incorporated herein by reference. The Executive Director of the Agency is hereby authorized to combine the Amendments attached hereto as Exhibits A and B with the Amended and Restated Redevelopment Plan prepared for the Merged Inglewood Redevelopment Project, and when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Amended and Restated Redevelopment Plan for the Merged Inglewood Project.

Section 7. In order to implement and facilitate the effectuation of the Amendments hereby approved, it may be necessary for the City Council to take certain actions, and accordingly, this City Council hereby: (a) pledges its cooperation in helping
to carry out the Amendments; (b) authorizes and directs the various officials, departments, boards, and agencies of the City having administrative responsibilities in the Merged Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with redevelopment of the Merged Project Area; (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendments and; (d) declares its intention to undertake and complete any proceeding necessary to be carried out by the City under the provisions of the Amendments.

Section 8. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Amended and Restated Redevelopment Plan, as amended by the Amendments.

Section 9. The City Clerk is hereby directed to record with the County Recorder of the County of Los Angeles a notice of the approval and adoption of the Amendments pursuant to this Ordinance containing a statement that proceedings for the redevelopment of the Merged Project Area pursuant to the Amended and Restated Redevelopment Plan, as amended by the Amendments, have been instituted under the CRL.

Section 10. This ordinance (Ordinance No. 09-13) to approve the Amended and Restated Redevelopment Plan for the Merged Inglewood Redevelopment Project and to approve the Eighth Amendment to the Provisions for the Manchester-Project Area and Tenth Amendment to the Provisions for the Century Project Area was introduced by the City Council on June 8, 2009, and adopted by the City Council on July 8, 2009. Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the City Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk’s Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk’s Office a certified copy of the full text of this Ordinance along with the names of those City Council members voting for and against this Ordinance or otherwise voting.

Section 11. This Ordinance shall take effect on the Effective Date of the Development Agreement by and between the City of Inglewood and Hollywood Park Land Company LLC adopted by City Ordinance No. 09-13.

Section 12. If any part of this Ordinance or the Amendments which it approves, is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Amendments, and this City Council hereby declares that it would have passed the remainder of the Ordinance, or approved the remainder of the Amendments, if such invalid portion thereof had been deleted.
PASSED, APPROVED AND ADOPTED this 8th day of July, 2009, by the following vote:

AYES: Council Member Franklin, Morales, Tabor, and Mayor Dorn

NOES: None

ABSENT: None

ABSTAIN: Council Member Dunlap

MAYOR,
CITY OF INGLEWOOD

ATTEST:

CITY CLERK,
CITY OF INGLEWOOD
STATE OF CALIFORNIA    )
COUNTY OF LOS ANGELES   )ss.
CITY OF INGLEWOOD      )

I, Yvonne Horton, City Clerk of the City of Inglewood, do hereby certify that the foregoing Ordinance No. 09-13 was duly introduced at a regular meeting of the City Council of the City of Inglewood, held on the 3rd day of June 2009, and was duly passed and adopted at a regular meeting of said City Council held on the 8th day of July 2009.

In witness whereof, I have hereunto set my hand and affixed the official seal of the City of Inglewood this 8th day of July 2009.

(Yvonne Horton)  
CITY CLERK,  
CITY OF INGLEWOOD