

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, ESTABLISHING THE DOWNTOWN LANCASTER PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, APPROVING THE ASSESSMENT FORMULA AND LEVYING THE ASSESSMENTS THROUGH A MAJORITY OF THE VOTES CAST IN THE DOWNTOWN LANCASTER BALLOT PROCESS IN FAVOR OF THE FORMATION OF THE PBID

WHEREAS, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq. authorizes cities to renew property and business improvement districts upon petition by a weighted majority of property owners within the renewed district and affirmative ballot; and

WHEREAS, a majority of the property owners subject to assessment, weighted according to the amount of assessment to be paid by each property owner, have petitioned the City Council to renew the Downtown Lancaster Property and Business Improvement District (“DLPBID”); and

WHEREAS, on February 14, 2023, the City Council adopted Resolution No. 23-10, which was the Resolution of Intention to renew the DLPBID; and

WHEREAS, on April 11, 2023, the City Council conducted a public hearing at 5:00 PM at 44933 Fern Avenue, Lancaster, CA 95354, with respect to the renewal of the DLPBID; and

WHEREAS, all written and oral protests made or filed were duly heard, evidence for and against the proposed action was received, and a full, fair and complete hearing was granted and held; and

WHEREAS, pursuant to California Constitution Article XIII D, ballots were mailed to property owners within the boundaries of the DLPBID, and, among those ballots returned to the City, a weighted majority of the property owners within the DLPBID have approved renewal of the DLPBID; and

WHEREAS, a detailed engineer’s report prepared by a registered professional engineer certified by the State of California, Ross Peabody, in support of the DLPBID’s assessments, has been prepared, is incorporated in the Management District Plan, and is on file with the Office of the City Clerk and is incorporated herein by this reference. (“Engineer’s Report”).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES RESOLVE AS FOLLOWS:

Section 1. The recitals set forth herein are true and correct.

Section 2. The Downtown Lancaster Property and Business Improvement District is hereby renewed and the annual assessment is hereby levied for each year of the entire term of the DLPBID. The initial annual assessment will total approximately \$334,978.46.

Section 3. The Management District Plan and the Engineer's Report are hereby approved.

Section 4. The assessment shall be imposed on properties within the DLPBID. The boundaries of the district include: W. Lancaster Boulevard, bounded by 10th Street West in the west, Jackman Street in the north, Sierra Highway in the east, and Milling Street in the south. The DLPBID also includes parcels bounded by W. Lancaster Boulevard in the north, W. Milling Street in the south, Sierra Highway in the east, and Fern Avenue in the west. Certain adjacent parcels in the Downtown Lancaster area have also been included in the DLPBID boundary.

Section 5. Assessment rates are as follows: The assessment rate (cost to the parcel owner) is based on benefit zone, parcel size, building size, and parcel type. Single family residential parcels and public easements on private parcels will not be assessed. The initial annual rate to each parcel is shown in the table below. Assessment rates may be subject to an increase of no more than three percent (3%) per year.

| | ZONE 1 | | ZONE 2 | |
|----------------------|--------------------------|----------------------------|--------------------------|----------------------------|
| Parcel Type | Parcel Size (sq. ft.) | Building Size (sq. ft.) | Parcel Size (sq. ft.) | Building Size (sq. ft.) |
| Commercial | \$0.085 | \$0.165 | \$0.045 | \$0.095 |
| Apartment Complex | \$0.0425 | \$0.0825 | \$0.0225 | \$0.0475 |

Section 6. The Assessment Roll for the Downtown Lancaster Property and Business Improvement District, City of Lancaster, State of California has been filed with the City Clerk, and is hereby approved.

Section 7. The assessments shall be collected in accordance with Section 36631 of the Streets and Highways Code.

Section 8. The assessment levied for the DLPBID shall be applied towards economic revitalization and maintenance programs, including clean and safe, marketing and promotion, and related advocacy and administrative programs.

Section 9. Bonds shall not be issued.

Section 10. Properties within the DLPBID are subject to any amendments to Part 7 (commencing with Section 36600) to Division 18 of the Streets and Highways Code.

Section 11. The improvements and activities to be provided in the DLPBID will be funded by the levy of the assessments specified in the assessment roll. The revenue from the levy of such assessments shall not be used to provide improvements or activities outside the district or

for any purpose other than the purposes specified in the Resolution of Intention and Management District Plan. Notwithstanding the foregoing, improvements and activities that must be provided outside the DLPBID boundaries to create a special benefit to the assessed parcels may be provided, but shall be limited to marketing or signage pointing to the DLPBID.

Section 12. All property within the DLPBID will be benefited specially and directly by the improvements and activities funded by the assessments proposed to be levied.

Section 13. The City Clerk is directed to take all necessary actions to complete the renewal of the DLPBID. The City Clerk is directed to record in the County Recorder's Office a notice and assessment diagram as required by Streets and Highways Code section 36627.

Section 14. If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declares invalid or unconstitutional.

Section 15. This resolution shall take effect immediately.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

ANDREA ALEXANDER
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

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

CERTIFICATION OF RESOLUTION
CITY COUNCIL

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

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

(seal)
