ANALYSIS

This uncodified ordinance describes the program for the use of eminent domain set forth in the redevelopment plans for the County's existing redevelopment project areas.

This ordinance is being adopted to satisfy the requirements of California Health and Safety Code section 33342.7, which requires that the Board of Supervisors adopt an ordinance describing such program for the use of eminent domain on or before July 1, 2007.

This ordinance does not modify or expand upon the eminent domain authority for any redevelopment project area.

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BT:gjh

05/03/07 (requested)

05/11/07 (revised)

ORDINANCE NO._____

An ordinance of the Board of Supervisors of the County of Los Angeles describing the program for the use of eminent domain set forth in the redevelopment plans for the County's existing redevelopment project areas.

WHEREAS, effective January 1, 2007, Senate Bill 53 added section 33342.7 to the California Health and Safety Code, pursuant to which legislative bodies that adopted a final redevelopment plan prior to January 1, 2007, are required to adopt an ordinance that describes the redevelopment agency's program to acquire real property by eminent domain on or before July 1, 2007; and

WHEREAS, Senate Bill 53 provides that following adoption of an ordinance describing the redevelopment agency's program to acquire real property by eminent domain, such program may only be modified through an amendment to the involved redevelopment plan; and

WHEREAS, the Community Development Commission of the County of Los Angeles ("Commission") is a redevelopment agency duly organized pursuant to Community Redevelopment Law (California Health and Safety Code section 33000 et seq.), and pursuant thereto has responsibility to implement redevelopment plans for the County of Los Angeles; and

WHEREAS, there are five existing redevelopment project areas within the County of Los Angeles; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 10661 on February 20, 1973, approving and adopting the redevelopment plan for the Maravilla

Project Area, which plan originally provided for the exercise of eminent domain within the project area, but for which project area the authority for the exercise of eminent domain expired on January 16, 1999; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 11585 on September 15, 1977, approving and adopting the redevelopment plan for the Willowbrook Neighborhood Development Program, which plan originally provided for the exercise of eminent domain within the project area, but for which project area the authority for the exercise of eminent domain expired on June 21, 2001; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 84-0113 on July 10, 1984, approving and adopting the redevelopment plan for the East Compton Community Redevelopment Project, which project area was subsequently renamed as the East Rancho Dominguez Community Redevelopment Project, which plan originally provided for the exercise of eminent domain within the project area, but for which project area the authority for the exercise of eminent domain expired on June 12, 1996; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 86-0136 on August 12, 1986, approving and adopting the redevelopment plan for the West Altadena Community Redevelopment Project, for which project area the authority to exercise eminent domain currently exists and will expire on August 12, 2010; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 2006-0075 on October 17, 2006, approving and adopting the redevelopment plan for the Whiteside

Redevelopment Project, for which project area the authority to exercise eminent domain currently exists and will expire on November 17, 2018.

NOW, THEREFORE, the Board of Supervisors of the County of Los Angeles hereby ordains as follows:

SECTION 1. The following is hereby adopted as the Commission's program to acquire real property by eminent domain within the two redevelopment project areas for which the authority to exercise eminent domain currently exists:

The redevelopment plan for the West Altadena Community Redevelopment Project authorizes the Commission to acquire real property by eminent domain, which authority expires on August 12, 2010. The Commission may only acquire property by eminent domain within the project area following compliance with all requirements of applicable law, including without limitation, compliance with all requirements pertaining to notice, hearing, and the payment of just compensation.

The redevelopment plan for the Whiteside Redevelopment Project authorizes the Commission to acquire real property by eminent domain, which authority expires on November 17, 2018. The redevelopment plan for the Whiteside Redevelopment Project does not permit the acquisition of any property upon which any person resides. Additionally, the Commission may only acquire property by eminent domain within the project area following compliance with all requirements of applicable law, including without limitation, compliance with all requirements pertaining to notice, hearings, and the payment of just compensation.