

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 11-2016

ADMINISTRATION BILL NO. 10-2016

INTRODUCED – SEPTEMBER 13, 2016

ADOPTED BY COUNCIL – OCTOBER 11, 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, APPROVING A REDEVELOPMENT PROPOSAL SUBMITTED FOR APPROVAL BY THE REDEVELOPMENT AUTHORITY OF THE CITY OF LANCASTER IN CONNECTION WITH THE PROPOSED REDEVELOPMENT OF PROPERTIES LOCATED AT OR NEAR THE SOUTHWEST CORNER OF EAST KING STREET AND SOUTH CHRISTIAN STREET AND KNOWN AND NUMBERED AS 14, 16 AND 18 EAST KING STREET; SETTING FORTH RELATED MATTERS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME ARE INCONSISTENT WITH THIS ORDINANCE.

WHEREAS, The City Council (the “Governing Body”) of the City of Lancaster, Lancaster County, Pennsylvania (the “City”), heretofore organized the Redevelopment Authority of the City of Lancaster (the “Authority”) under the Urban Redevelopment Law (the “Act”) of the Commonwealth of Pennsylvania (the “Commonwealth”), for the purposes of participating in the replanning and redevelopment of areas within the City to promote the public health, safety, convenience and welfare; and

WHEREAS, The Lancaster City Planning Commission (the “Planning Commission”), in accordance with the Act, has certified various areas within the City more particularly identified in the “Strategic Economic Development Area Plan” adopted by the Planning Commission on October 21, 1998, as amended November 21, 2001, and as further amended on December 5, 2007 (the “Redevelopment Area”), to be a “redevelopment area,” within the meaning of the Act, and has 2 prepared and adopted said “Strategic Economic Redevelopment Area Plan” (the “Redevelopment Area Plan”), as a “redevelopment area plan,” within the meaning of the Act, for the Redevelopment Area, and a copy of the Redevelopment Area Plan is on file with the Planning Commission; and

WHEREAS, The Redevelopment Area encompasses, in addition to other areas within the City, the properties located at or near the southwest corner of East King Street and South Christian Street known and numbered as 14, 16 and 18 East King Street in the Central Business District of the City (herein referred to as the “Project Site”); and

WHEREAS, The Authority has prepared a “redevelopment proposal,” within the meaning of the Act, for the Project Site, in which the substantial forms of the agreements constituting the “redevelopment contract” are contained, and has submitted the same to the Planning Commission for review; and

WHEREAS, The “redevelopment proposal” in the form so submitted to, and reviewed and approved by, the Planning Commission (the “Redevelopment Proposal”), has been submitted to this Governing Body and is on file with the City Clerk; and

WHEREAS, The Authority has designated High Associates Ltd., a Pennsylvania limited liability company (“HA”); Penn Square Partners, a Pennsylvania limited partnership (“PSP”)’ and the Authority, acting cooperatively, as the redeveloper or developers for a redevelopment project on the Project Site, the same to consist of, inter alia, demolition of existing structures on the Project Site; general improvement of the Project Site, construction on the Project Site of a 12-story 3 addition to the adjacent Lancaster Marriott Hotel at Penn Square, and construction of related infrastructure improvements (collectively, the “Project”); and

WHEREAS, This Governing Body, as required by the Act, has duly advertised and held a public hearing upon the Redevelopment Proposal; and

WHEREAS, This Governing Body has given due consideration to the Redevelopment Proposal and the evidence and testimony given at such public hearing; and

WHEREAS, This Governing Body is satisfied that no families are to be displaced by the Project; and

WHEREAS, This Governing Body desires to take all action on its part necessary with respect to the Redevelopment Proposal in accordance with the Act.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Governing Body of this City as follows:

1. This Governing Body does hereby approve the Redevelopment Proposal in the form submitted to this Governing Body, including the substantial form of the redevelopment contract contained therein, and the Authority is hereby authorized to take such action as may be necessary or appropriate to carry out the Redevelopment Proposal and to execute and perform the redevelopment contract.

2. This Governing Body does authorize the financing and undertaking of the Project by the Authority, as described in the Redevelopment Proposal.

3. The City Clerk is authorized and directed to certify and deliver a copy of this Ordinance to the Authority.

4. All prior action taken by or on behalf of this Governing Body and the officers of this Governing Body with respect to approval of the Redevelopment Proposal and the Project is hereby ratified and confirmed to the extent not inconsistent with this Ordinance.

5. Proper officers of this Governing Body are authorized and directed to execute and deliver such documents and do such things as may be necessary to carry out the intent and purpose of this Ordinance.

6. All ordinances or parts of ordinances of this City, insofar as the same shall be inconsistent herewith, shall be and the same expressly are repealed.

7. In the event any provision, section, sentence, clause or part of this Ordinance is determined by any court of competent jurisdiction to be invalid or unenforceable, such determination shall not affect the validity or enforceability of the remaining provisions hereof.

8. This Ordinance shall become effective in accordance with law.

DULY ENACTED AND ORDAINED by the Council of this City, in lawful session duly assembled, this 11th day of October, 2016.

ATTEST:

Bernard W. Harris Jr., City Clerk

By: _____
John E. Graupera, President of City Council

(SEAL)

EXAMINED AND APPROVED THIS ____ day of _____, 2016.

J. Richard Gray, Mayor of the City of Lancaster

CERTIFICATE

I, the undersigned, City Clerk of the City of Lancaster, Lancaster County, Pennsylvania (the "City"), certify that: the foregoing is a true and correct copy of an Ordinance which was introduced by the Council of the City at a meeting duly held on September 13, 2016, was duly enacted by affirmative vote of a majority of the members of the Council of the City then holding office at a meeting held on October 11, 2016, and was examined and approved by the Mayor on _____, 2016, all in accordance with law; said Ordinance has been certified and recorded by me, as City Clerk of the City, in the book provided for the purpose of such recording; said Ordinance, upon enactment, as aforesaid, was assigned Administration Ordinance No. 11-2016; said Ordinance has been advertised as required by law; and said Ordinance has not been amended, altered or repealed as of the date of this Certificate. I further certify that the Council of the City met the advance notice requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment prior to enactment of said Ordinance, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the City, this _____ day of _____, 2016.

Bernard W. Harris Jr., City Clerk

(SEAL)