

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO. RES-08-0133

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH DECLARING RESULTS OF  
5 SPECIAL ELECTION, AND DIRECTING RECORDING OF  
6 NOTICE OF SPECIAL TAX LIEN AND NOTICE OF  
7 CANCELLATION OF SPECIAL TAX LIEN FOR PRIOR  
8 CFD-COMMUNITY FACILITIES DISTRICT NO. 2007-2  
9 (BELMONT SHORE)

10  
11 WHEREAS, in proceedings heretofore conducted by this City Council  
12 pursuant to the Long Beach Special Tax Financing Improvement Law, Section 3.52.511  
13 et seq. of the Long Beach Municipal Code (the "Law"), on August 5, 2008, this City  
14 Council adopted Resolution No. RES-08-0083 entitled "A Resolution of the City Council  
15 of the City of Long Beach Calling For New Election Within the City of Long Beach  
16 Community Facilities District No. 2007-2 (Belmont Shore)", calling for a special election of  
17 the qualified electors within the City of Long Beach Community Facilities District No.  
18 2007-2 (Belmont Shore) (the "District"); and

19 WHEREAS, pursuant to the terms of said resolution, which are by this  
20 reference incorporated herein, the special election was held on October 6, 2008, and the  
21 City Clerk has on file a Canvass and Statement of Results of Election, a copy of which is  
22 attached hereto as Exhibit A; and

23 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
24 follows:

25 Section 1. The issues presented at the special election were the  
26 incurring of bonded indebtedness for the District, the levy of a special tax within the  
27 District to be levied in accordance with the rate and method of apportionment of special  
28 taxes for the District heretofore approved by this City Council by its Resolution No. RES-

1 08-0081 adopted on August 5, 2008, entitled "A Resolution of the City Council of the City  
2 of Long Beach Affirming Formation of the City of Long Beach Community Facilities  
3 District No. 2007-2 (Belmont Shore), Authorizing the Levy of a Special Tax Within the  
4 District, Preliminarily Establishing An Appropriations Limit for the District and  
5 Resubmitting Levy of the Special Tax and the Establishment of the Appropriations Limit  
6 to the Qualified Electors of the District," and the approval of a separate appropriations  
7 limit for the District in the amount specified in said Resolution.

8           Section 2. Pursuant to the canvass of the special election on file with the  
9 City Clerk, the issues presented at the special election were approved by the qualified  
10 electors of the District by more than two-thirds of the votes cast at the special election.

11           Section 3. Pursuant to the voter approval, the District is hereby declared  
12 to be fully formed with the authority to incur bonded indebtedness and to levy special  
13 taxes as heretofore provided in the proceedings to from the District and in the Law.

14           Section 4. It is hereby found that all prior proceedings and actions taken  
15 by this City Council with respect to the District were valid and in conformity with the Law.

16           Section 5. The City Clerk is hereby directed to execute and cause to be  
17 recorded in the office of the County Recorder of the County of Los Angeles (a) a notice of  
18 special tax lien for the District, and (b) a notice of cancellation of special tax lien for the  
19 City of Long Beach Community Facilities District No. 1 (Belmont Shore) (the "Prior CFD"),  
20 each such notice to be in the forms provided by Bond Counsel. The recording of the  
21 notice of special tax lien shall occur no later than fifteen days following adoption by the  
22 City Council of this Resolution. The recording of the notice of cancellation of special tax  
23 lien for the Prior CFD shall occur only if and when the 1993 Bonds authorized to be  
24 refinanced by the District have been legally defeased or paid in full, with such recording  
25 to occur within fifteen days of the date of such legal defeasance or payment in full, as  
26 identified by the City Treasurer to the City Clerk.

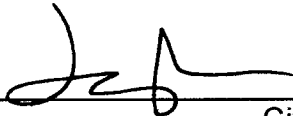
27           Section 6. This resolution shall take effect immediately upon its adoption  
28 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

1 I hereby certify that the foregoing resolution was adopted by the City  
2 Council of the City of Long Beach at its meeting of October 21, 2008 by the following  
3 vote:

4  
5 Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,  
6 Reyes Uranga, Gabelich, Lerch.

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8  
9 Noes: Councilmembers: None.

10  
11 Absent: Councilmembers: B. Lowenthal, Schipske, Andrews.

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16 \_\_\_\_\_  
17 City Clerk

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EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF ELECTION

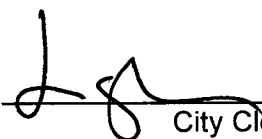
CITY OF LONG BEACH  
COMMUNITY FACILITIES DISTRICT NO. 2007-2  
(BELMONT SHORE)

I hereby certify that, I canvassed the returns of the special election held on October 6, 2008, in the City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore) and the total number of ballots cast in said election and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore) Special Tax and Bond Election October 6, 2008.	59,022	43,245	35,988	7,257

BALLOT MEASURE A: Shall the City of Long Beach (the "City") incur an indebtedness and issue bonds in one or more series in the maximum aggregate principal amount of \$5,800,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law at the time of sale of such bonds on behalf of the City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore) (the "District"), the proceeds of which will be used only to finance the costs of certain parking facilities and improvements (the "Facilities") and of the refinancing of certain bonds (the "1993 Bonds"), each as authorized to be funded by the District, and to pay the costs of issuing the bonds, initially administering the bonds and the District as well as the establishment of appropriate bond reserves; shall a special tax payable solely from lands within the District be levied annually upon lands within the District to be applied to pay the costs of the Facilities directly, to pay the principal and interest on any bonds issued for the District, to replenish the reserves for the bonds, and to pay the costs of the City in administering the District; and shall the annual appropriations limit of the District be established in the initial amount of \$5,800,000?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 7th day of October, 2008.

By:   
City Clerk,  
City of Long Beach