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1 RESOLUTION NO. RES-07-0023

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3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH DECLARING RESULTS OF  
5 SPECIAL ELECTIONS, AND DIRECTING RECORDING OF  
6 NOTICES OF SPECIAL TAX LIEN – DOUGLAS PARK  
7 COMMERCIAL AREA

8  
9 WHEREAS, in proceedings heretofore conducted by this City Council  
10 pursuant to the Long Beach Special Tax Financing Improvement Law, Section 3.52.511  
11 et seq. of the Long Beach Municipal Code (the "Law"), this City Council on this date  
12 adopted a resolution entitled "A Resolution of the City Council of the City of Long Beach  
13 Calling Special Election Within Improvement Areas A and B of the City of Long Beach  
14 Community Facilities District No. 2007-1 (Douglas Park – Commercial Area)", calling for  
15 special elections of the qualified electors within the two improvement areas of the City  
16 of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial  
17 Area) (the "District") known as Area A and Area B; and

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

22 WHEREAS, this Council has reviewed the canvass and hereby approves  
23 it;

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

26 Section 1. The issues presented at the special elections were the  
27 incurring of a bonded indebtedness in the maximum aggregate principal amount for  
28 each improvement area of the District, the levy of a special tax within each

1 improvement area of the District to be levied in accordance with the rate and method of  
2 apportionment of special taxes for the respective improvement area heretofore  
3 approved by this City Council by its resolution adopted this date entitled "A Resolution  
4 of the City Council of the City of Long Beach of Formation of Improvement Areas A and  
5 B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park –  
6 Commercial Area), Authorizing Levy of a Special Tax Within the Improvement Areas,  
7 Preliminarily Establishing Appropriations Limits for the Improvement Areas and  
8 Submitting Levy of the Special Tax and the Establishment of the Appropriations Limit to  
9 the Qualified Electors of the Improvement Areas," and the approval of a separate  
10 appropriations limit for each improvement area of the District in the respective amounts  
11 specified in said Resolution.

12                   Sec. 2.           Pursuant to the canvass of the special elections on file with  
13 the City Clerk, the issues presented at the special election with respect to Area A of the  
14 District were approved by the qualified electors of Area A of the District by their votes  
15 cast at the special election regarding Area A, and the issues presented at the special  
16 election with respect to Area B of the District were approved by the qualified elector of  
17 Area B by its votes cast at the special election regarding Area B.

18                   Sec. 3.           Pursuant to the voter approval, Area A of the District is  
19 hereby declared to be fully formed with the authority to incur bonded indebtedness and  
20 to levy special taxes as heretofore provided in the proceedings to form Area A and in  
21 the Law, and Area B of the District is hereby declared to be fully formed with the  
22 authority to incur bonded indebtedness and to levy special taxes as heretofore provided  
23 in the proceedings to form Area B and in the Law.

24                   Sec. 4.           It is hereby found that all prior proceedings and actions  
25 taken by this City Council with respect to each of Area A and Area B of the District were  
26 valid and in conformity with the Law.

27                   Sec. 5.           The City Clerk is hereby directed to execute and cause to be  
28 recorded in the office of the County Recorder of the County of Los Angeles a notice of



# EXHIBIT "A"

## CANVASS AND STATEMENT OF RESULT OF ELECTION

### CITY OF LONG BEACH COMMUNITY FACILITIES DISTRICT NO. 2007-1 (DOUGLAS PARK – COMMERCIAL AREA)

I hereby certify that on February 20, 2007, I canvassed the returns of the special elections held on February 20, 2007, in Improvement Areas A and B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial Area) and the total number of ballots cast in said elections and the total number of votes cast for and against the measures are as follows and the totals as shown for and against the respective measures are full, true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
Improvement Area A of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial Area) Special Tax and Bond Election February 20, 2007.	<u>81</u>	81	81	

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 \$16,000,000, 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 Improvement Area A ("Area A") of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial Area) (the "District"), the proceeds of which will be used only to finance the costs of certain public improvements (the "Facilities"), as specified in the Resolution of Formation of the improvement areas of the District, and the costs of issuing the bonds, initially administering the bonds and Area A as well as the establishment of appropriate bond reserves; shall a special tax payable solely from lands within Area A be levied annually upon lands within Area A to be applied to pay the costs of the Facilities directly, to pay costs of services eligible to be funded by Area A, to pay the principal and interest on any bonds issued for Area A, to replenish the reserves for the bonds, and to pay the costs of the City in administering Area A; and shall the annual appropriations limit of Area A be established in the amount of \$16,000,000?

	Qualified Landowner Votes	Votes Cast	YES	NO
Improvement Area B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial Area) Special Tax and Bond Election February 20, 2007.	<u>51</u>	51	51	

BALLOT MEASURE B: 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 \$13,500,000, 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 Improvement Area B (“Area B”) of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park – Commercial Area) (the “District”), the proceeds of which will be used only to finance the costs of certain public improvements (the “Facilities”), as specified in the Resolution of Formation of the improvement areas of the District, and the costs of issuing the bonds, initially administering the bonds and Area B as well as the establishment of appropriate bond reserves; shall a special tax payable solely from lands within Area B be levied annually upon lands within Area B to be applied to pay the costs of the Facilities directly, to pay costs of services eligible to be funded by Area B, to pay the principal and interest on any bonds issued for Area B, to replenish the reserves for the bonds, and to pay the costs of the City in administering Area B; and shall the annual appropriations limit of Area B be established in the amount of \$13,500,000?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 20<sup>th</sup> day of February, 2007.

By:   
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 City Clerk,  
 City of Long Beach