



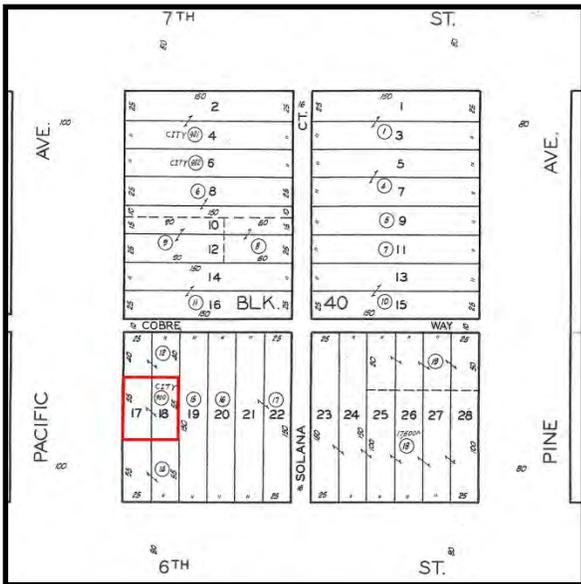
85).

# Community Garden



**Parcel Data:**

Property Type:	Open Space
Permissible Use:	Governmental Use
Property Address:	618 Pacific Avenue
Assessor ID Number(s):	7273-024-900
Lot Size (SF):	2,750
Zoning:	LBDP30
Council District:	1
Strategic Plan:	Redevelopment Plan for the Downtown Redevelopment Project



This property was initially acquired to eliminate blight and blighting influences. The property was developed as a pocket park/community garden more than 15 years ago. The property is too small to meet current development standards for single lot development. The property is also under a pre-existing lease with Long Beach Organic for operation and management of the community garden. As such, this property is proposed to remain as currently used and developed.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**



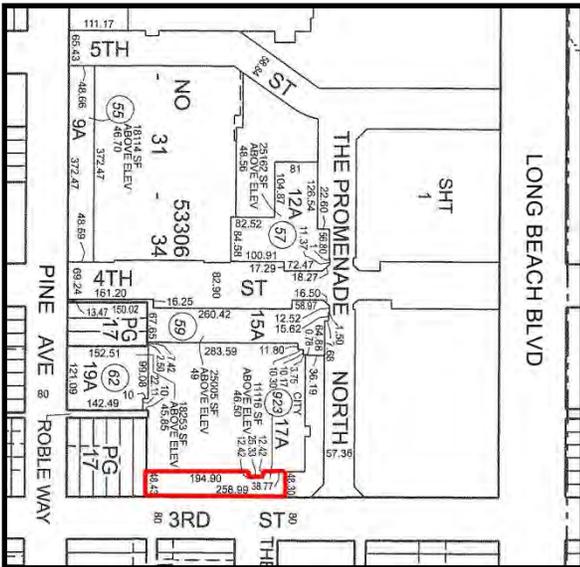
STAFF REPORT UNAVAILABLE

# 86-87). Harvey Milk Plaza/Promenade Park



**Parcel Data:**

Property Type:	Park
Permissible Use:	Governmental Use
Property Address:	Adjacent to 195 E. 3 <sup>rd</sup> Street
Assessor ID Number(s):	7280-005-922, -923
Lot Size (SF):	8,860
Zoning:	LBDP30
Council District:	1
Strategic Plan:	Redevelopment Plan for the Downtown Redevelopment Project



These properties were initially acquired to accommodate high density residential development and were transferred to private ownership. The residential development failed to proceed due to site constraints. The properties were re-acquired in 2006 by the former Redevelopment Agency and re-conceived as a public park. The properties have since been developed and act as the northerly terminus of the pedestrian-oriented Promenade, offering a physical and visual respite from the surrounding development. Construction of the park was deemed an Enforceable Obligation and the park was officially dedicated as the Harvey Milk Promenade Park in 2013. The public park also contains a W.P.A.-era mosaic mural that is now fully accessible to the public.



**Successor Agency to the Redevelopment Agency of the City of Long Beach**





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

February 27, 2006

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to acknowledge termination of the purchase agreement between Promenade Loft Partners, LLC and Coventry Long Beach Plaza, LLC for the development of 71 East Third Street; to exercise Agency's option to purchase at a cost of \$1,000,000; to authorize the Executive Director to execute joint escrow instructions and related documents; and to proceed with design of the site as the open space terminus of The Promenade. (Downtown – District 1)

### DISCUSSION

On July 25, 2005, the Redevelopment Agency approved the Second Implementation Agreement to the Owner Participation Agreement with Coventry Long Beach Plaza LLC to allow Urban Pacific Builders to develop the Promenade Lofts on 3<sup>rd</sup> Street in front of the CityPlace parking garage (Exhibit A – Site Map). The developer planned to construct 39 for-sale condominiums with first floor retail space and to develop an open courtyard around the WPA mosaic mural that is adjacent to this site.

On February 2, 2006, staff received notice from the developer, dated January 27, 2006, of its decision to formally withdraw from this project (Exhibit B – Notice to Withdraw). Three reasons are cited for the decision, including the requirement to pay prevailing wages on the project, the increase in construction costs this past year, and the limit on the number of units that can be built under the zoning code.

Under the terms of the Second Implementation Agreement, the Redevelopment Agency now has the option to purchase this land for \$1 million. The parcel has about 12,115 square feet of surface and air rights. The Agency has until June 1, 2006, to exercise its option and must close escrow within 45 days of giving notice.

Staff recommends proceeding with this purchase now and developing this site primarily as the open space terminus of The Promenade. The site is very difficult to develop because of (1) its long and narrow shape (259 feet by 48 feet); (2) the requirement to

*The mission of the Long Beach Redevelopment Agency is to enhance the quality of life by improving blighted areas of Long Beach, revitalizing neighborhoods, promoting economic development, creating jobs, providing affordable housing and encouraging citizen participation.*

keep access to and view of the mural open; and (3) the need to keep the entrance to the public parking garage open. Six easements were going to be needed to permit development because of these various constraints. In addition to enhancing the development of The Promenade, purchasing the land will protect public access to the mural for future generations.

The current fiscal year budget for the Downtown Redevelopment Project Area included \$1 million for construction of improvements to The Promenade but this work will not take place until next fiscal year. The current year's funds can be redirected toward this purchase.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:BAK:JVK

Attachments: Exhibit A – Site Map  
Exhibit B – Notice to Withdraw

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

Next >>

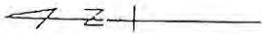
View Enlarged Map

View Printing Instructions

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SCALE 1" = 200'

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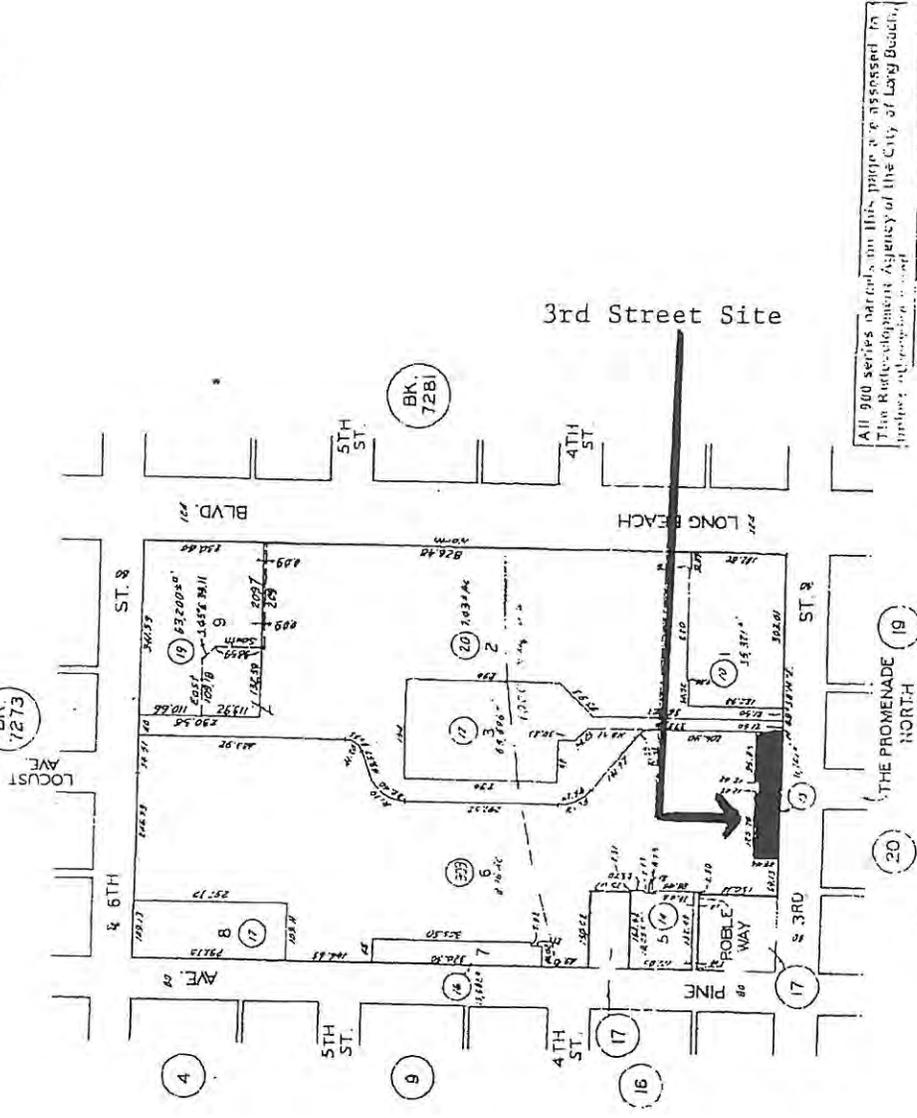
1989



County of Los Angeles Rick Auerbach, Assessor

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# EXHIBIT A SITE MAP



All 900 series parcels on this page are assessed to The Redevelopment Agency of the City of Long Beach, subject to change.

TRACT NO 37927 M.B. 969-75-77

FOR PREV. ASSNT SEE:  
7277-2 TO 8.17.81  
7280-5 TO 8.17.81

ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.

Exhibit B



January 27, 2006

Ms. Barbara Kaiser  
Redevelopment Agency of the City of Long Beach  
333. W. Ocean Blvd, 3<sup>rd</sup> Floor  
Long Beach, CA 90802

Re: Second Implementation Agreement – Long Beach Promenade

Dear Barbara:

As you are well aware, the construction costs on this project have significantly exceeded our budgets over the last two years of working on this transaction. As you are also aware, this has been caused by three significant issues:

1. The project must comply with the overlying prevailing wage requirement at CityPlace per the direction of both the city and the State Department of Industrial Relations through its mandate against Developers Diversified Realty Corporation.
2. Construction costs due to Hurricane Katrina and higher oil prices (affecting any material made with or requiring the use of petroleum) have increased nearly 30% overall.
3. The design of the project and most specifically the number of units dictated to us by the planning department does not allow enough units to carry the significant amount of fixed costs on this deal across a larger revenue stream if the project had been allowed more residential units.

All of these issues add up to one result, that construction and other costs have exceeded overall revenues of the project such that the project not only has no profit, it actually has a negative profit (this was demonstrated in a proforma and hard cost budget submitted to Pat West when we met in December). The economics of the transaction just do not work period. Of course, as you are aware, we have gone at significant financial risk by starting the working drawings early and submitting for plan check to meet the schedule outlined between Urban Pacific and the Redevelopment Agency. We have expended over \$750,000 on this project alone. We do not make this decision lightly, and believe in this deal and downtown Long Beach. Nonetheless, we cannot move forward with the economics of this project being what they are. We therefore formally withdraw from this project and hereby give notice to the Redevelopment Agency per Section 6.1 of the

URBAN PACIFIC BUILDERS, LLC

Second Implementation Agreement that the underlying Purchase Agreement was terminated on January 17, 2006.

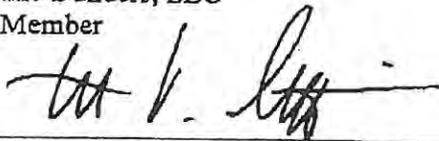
We understand that the Agency and the Board will be disappointed by this news. We are disappointed ourselves. But, we fully expect that you will understand that this rising cost issue is one that is being dealt with across the country and that we gave the utmost in effort and money to make this project a reality.

Please feel free to call should you have any questions regarding this matter. I can be reached at (562) 590-5600 x101.

Sincerely,

Promenade Lofts Partners, LLC

By: Urban Pacific Builders, LLC  
Its: Managing Member

By:   
Scott K. Choppin, Managing Member

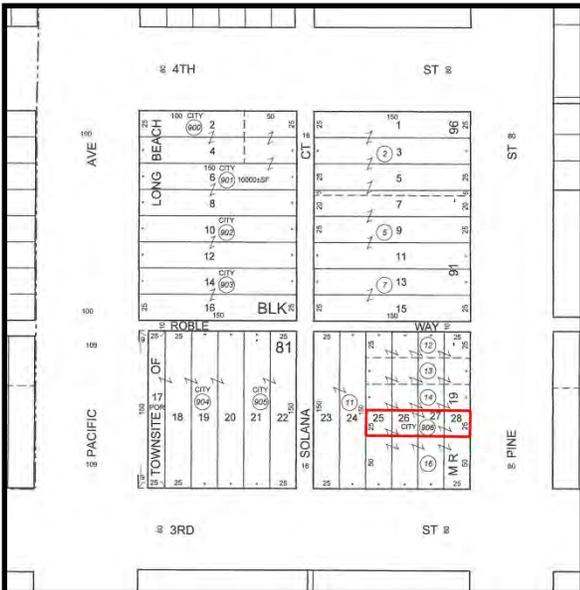
cc Redevelopment Agency Board Members

# 88). Small Business Development Center



**Parcel Data:**

Property Type:	Commercial
Permissible Use:	Governmental Use
Property Address:	309 Pine Avenue
Assessor ID Number(s):	7280-016-906
Lot Size (SF):	2,500
Zoning:	LBPD30
Council District:	1
Strategic Plan:	Redevelopment Plan for the Downtown Redevelopment Project



This property was acquired to provide a City-sponsored economic development resource center for the Downtown area. The property houses the Long Beach Community College District's California Small Business Development center, Los Angeles Regional Network, which is partially funded through the City's Community Development Block Grant entitlement. The building also is used by the Downtown Long Beach business district as a resource center to facilitate business relocation, retention and growth, create or retain jobs and to facilitate capital infusion within Long Beach.



**Successor Agency to the Redevelopment Agency of the City of Long Beach**





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

October 1, 2007

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 309 Pine Avenue for \$1,356,050 plus closing and relocation costs. (Downtown - District 1)

### DISCUSSION

AFH Commercial, LLC (Seller) owns the property at 309 Pine Avenue in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The property consists of a two-story 4,788-square-foot multi-tenant commercial building on a 2,500-square-foot lot.

In an appraisal dated June 18, 2007, the Redevelopment Agency's (Agency) appraiser valued the property at \$1,245,000. Agency staff has been in negotiations with the property owner for the past several months. The Seller has agreed to sell the property for \$1,356,000 (\$542 per square foot), which is nine percent above the appraised value. Eligible tenants will be relocated according to state relocation law.

This property is part of the 3<sup>rd</sup> and Pine development. Acquisition of the property is consistent with the Agency's goal to assemble the site for development. This is a voluntary sale, thus avoiding eminent domain action.

### SUGGESTED ACTION:

Approve recommendation.

REDEVELOPMENT AGENCY BOARD MEMBERS

October 1, 2007

Page 2

Respectfully submitted,



CRAIG A. BECK  
ASSISTANT EXECUTIVE DIRECTOR

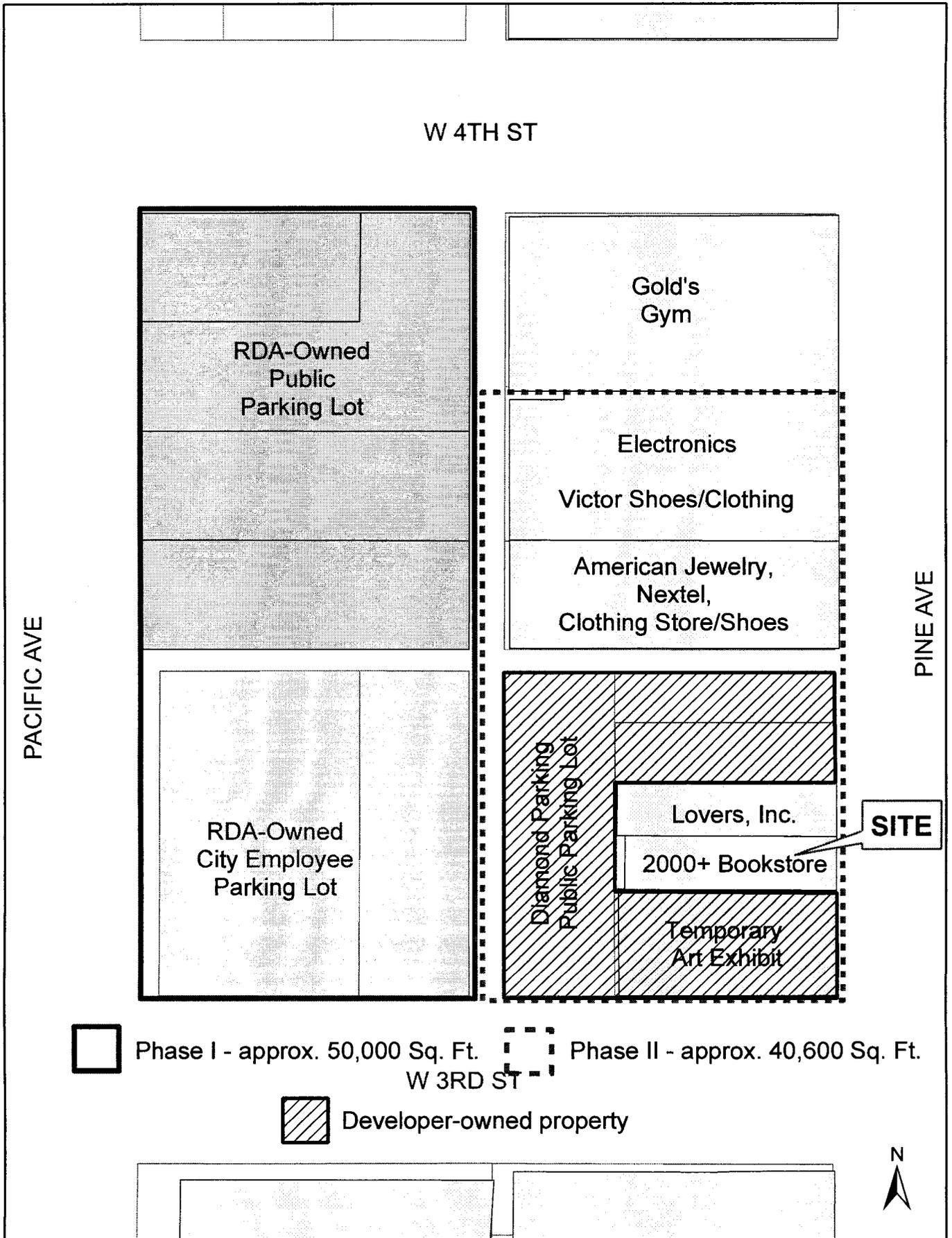
CAB:BEC

Attachment: Exhibit A – Site Map

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

EXHIBIT A - SITE MAP

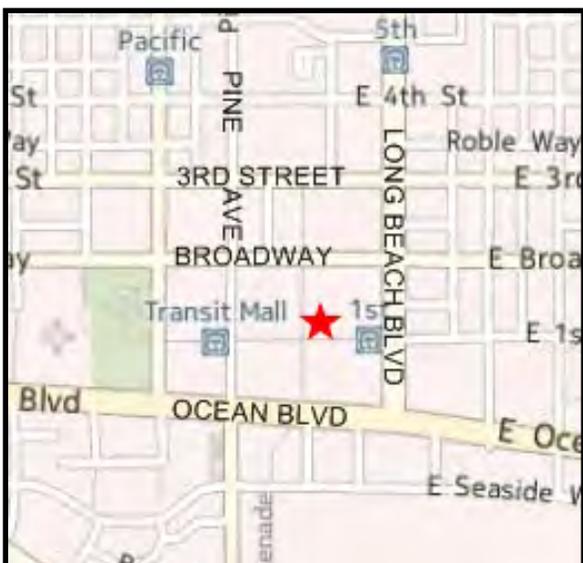
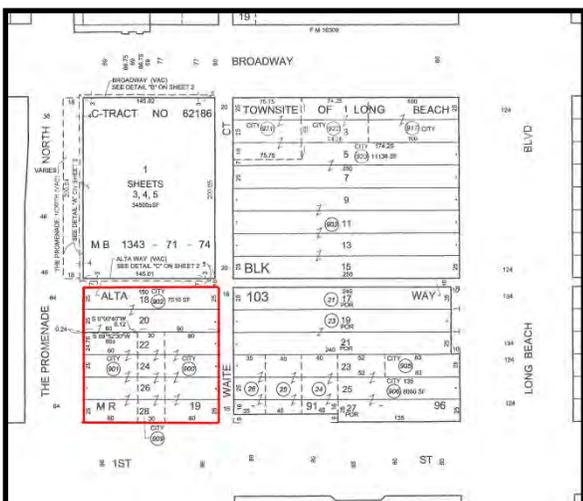


# 89-92). Promenade Square Park



## Parcel Data:

Property Type:	Park
Permissible Use:	Governmental Use
Property Address:	215-221 E. 1 <sup>st</sup> Street/124 The Promenade North
Assessor ID Number(s):	7280-028-900, -901, -902, -909
Lot Size (SF):	22,500
Zoning:	LBDP30
Council District:	2
Strategic Plan:	Redevelopment Plan for the Downtown Redevelopment Project



These properties were acquired in the 1980's as part of a now-defunct Urban Development Action Grant program from the federal government to facilitate the creation of open space and mobility options. The former use was as a concert amphitheater and bus station. In 2010, as part of the multi-year development of the Promenade, the properties were redeveloped and rededicated as Promenade Square Park. The public park provides flexible open space consistent with a high level of pedestrian oriented commercial and entertainment activity balanced with outdoor dining, retail sales, public markets, arts and crafts shows, concerts and other similar uses. Promenade Square Park also includes a full service BikeStation, which acts as a multi-modal hub for bicycle users to transfer to the adjacent METRO Blue Line light rail or to bus service provided by Long Beach Transit along the Transit Mall.

**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**



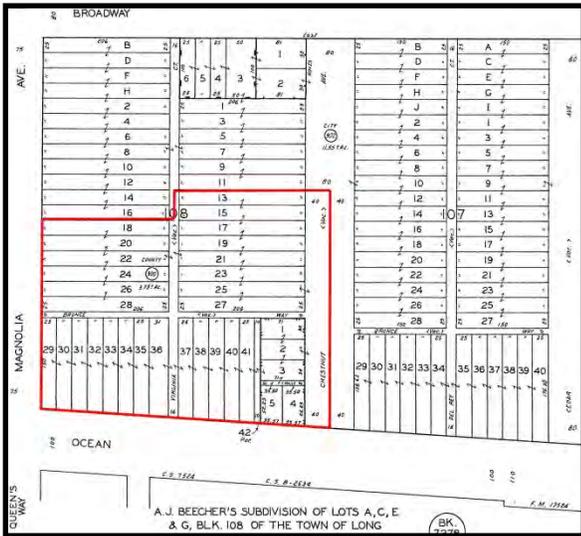
STAFF REPORT UNAVAILABLE

# 93). Long Beach Civic Center



**Parcel Data:**

Property Type: Public Building  
 Permissible Use: Governmental Use  
 Property Address: 415 W. Ocean Blvd.  
 Assessor ID Number(s): 7280-025-900  
 Lot Size (SF): 165,287  
 Zoning: LBPD30  
 Council District: 2  
 Strategic Plan:



This property was acquired in 2009 by the former Redevelopment Agency from the State of California as part of a land swap for the development of the new Deukmejian Courthouse. The property is within the boundaries of the existing Civic Center megablock, which contains only community-serving, civic and open space uses. It is anticipated that this property will remain as Government Use and will be transferred to the City without cost.



**Successor Agency to the  
 Redevelopment Agency of  
 the City of Long Beach**





# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

# H-1

333 West Ocean Blvd., 3<sup>rd</sup> Floor Long Beach, CA 90802 Phone: 570.6615 Fax: 570.6215

September 1, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing; and adopt a Resolution making certain findings regarding the construction of certain public improvements with redevelopment funds; and

Adopt a Resolution approving an agreement for exchange of real property between the Redevelopment Agency of the City of Long Beach, California, and the State of California; finding that the consideration for the sale of certain real property in the Central Long Beach Redevelopment Project Area is not less than fair market value in accordance with covenants and conditions governing such sale; and approving the sale of the property and the agreement. (Districts 1, 2)

## DISCUSSION

The Long Beach Redevelopment Agency (Agency) has concluded the negotiation of a Property Exchange Agreement (Agreement) with the Judicial Council of California, acting through the Administrative Office of the Courts (AOC), for the development of a new regional courthouse in downtown Long Beach (Courthouse).

The Agreement includes the following major provisions:

- The Agency and AOC will exchange the existing courthouse at 415 West Ocean Boulevard (State-owned site) for the Agency-owned property bounded by Broadway, Maine Avenue, 3<sup>rd</sup> Street and Magnolia Avenue (Exhibit A – Site Map).
- The AOC will develop a new courthouse building consisting of approximately 545,000 square feet and containing 31 civil and criminal courtrooms. There will also be approximately 63,000 square feet of county office space; 38,000 square feet of commercial office space; and 9,200 square feet of retail space. A secure vehicle sallyport, central in-custody holding and 35 secure parking spaces will be located below grade.
- Upon completion of the new courthouse, the Agency will grant the AOC a total of \$5,000,000, paid \$250,000 annually over 20 years, to support the difference in land values.

- The Agency will reimburse the AOC up to \$2,000,000 for off-site improvements (utility relocation, traffic mitigation, right-of-way improvements, etc.).
- At the close of escrow, the Agency will lease the existing State-owned site back to the AOC through an Absolute Net Lease (NNN) for the sum of one dollar annually for a maximum term of five years. An extension beyond the term of the lease would be subject to fair market rent at such time. The AOC will cover all costs associated with the maintenance and operation of the court building.
- In the event that construction of the new courthouse has not commenced within five years, either party may have the right to reverse the land exchange and all parties would bear their own costs.

As the lead agency, the AOC has prepared and certified a Mitigated Negative Declaration (MND) for the Courthouse project and the Agreement as required under the California Environmental Quality Act (Exhibit B – Notice of Determination, MND #2009051102). On August 17, 2009, the MND was considered by the Agency Board during project review and approval.

Before the Agency may proceed with funding a public improvement, California Redevelopment Law requires the Agency and the City Council to adopt resolutions making the following findings:

- That the construction of such public improvements is of benefit to the redevelopment project area or the immediate neighborhood in which the public improvement project is located.
- That no other reasonable means of financing the public improvements are available to the community.
- That the payment of agency funds for the construction of the public improvements will assist in the elimination of one or more blighting conditions within the project area.

A Resolution making the necessary findings regarding the construction of this public improvement with redevelopment funds from the Central, Downtown, and West Beach Redevelopment Project Areas is attached. Due to the close proximity of the proposed improvements, all three projects areas will benefit from this investment. Therefore, funds from these three project areas may be used to support the improvements.

Since the Agency-owned site was purchased by the Agency with tax increment monies, California Redevelopment Law requires that this sale must also be approved by the City Council by resolution after a public hearing.

Pursuant to California Redevelopment Law, the Agency has made available for public inspection and reproduction a Summary Report (Exhibit C – Section 33433 Summary Report) that contains the following:

- The estimated value of the interest to be conveyed, determined at the highest and best use permitted under the Redevelopment Plan.

- The estimated value of the interest to be conveyed and with the conditions, covenants and development costs required by the Agreement.
- The purchase price.
- The cost of the Agreement to the Agency.
- The net cost/benefit to the Agency.
- An explanation of why the sale of the site will assist in the elimination of blight.
- An explanation of why the sale of the site is consistent with the Agency's AB 1290 Implementation Plan.

With City Council approval, the AOC will submit the Agreement for approval by the State Public Works Board on September 11, 2009. After approval, the AOC will continue their process for developer selection, which is anticipated to conclude in January 2010. Once a developer is selected, commencement of construction is anticipated to occur within four months.

This letter was reviewed by Chief Assistant City Attorney Heather A. Mahood on August 12, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on August 17, 2009.

TIMING CONSIDERATIONS

City Council action is requested on September 1, 2009, as the matter is scheduled to go before the State Public Works Board on September 11, 2009.

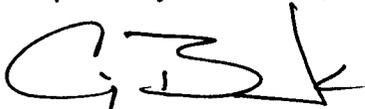
FISCAL IMPACT

In summary, the fiscal impact to the Agency includes expending up to \$2 million for offsite improvements, and \$5 million, to be paid over 20 years (\$250,000 annually x 20 years= \$5 million). There is no impact to the General Fund (GP).

SUGGESTED ACTION:

Adopt recommendation.

Respectfully submitted,



CRAIG BECK  
DIRECTOR OF DEVELOPMENT SERVICES

CB:AJB:DSW:JMV

Attachments:

- City Council Resolutions (2)
- Exhibit A – Site Map
- Exhibit B – Notice of Determination/MND #2009051102
- Exhibit C – Section 33433 Summary Report

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

# SITE MAP



EXHIBIT B

Notice of Determination

Appendix D

TO: FROM:

Office of Planning and Research

For U.S. Mail:

P.O. Box

Sacramento, CA 95812-3044

Street Address:

Box 3044 1400 Tenth Street

Sacramento, CA 95814

Public Agency:

Administrative Office of the Courts

Address: 455 Golden Gate Avenue

San Francisco, CA 94102-3688

Contact: Jerome J. Ripperda

Phone: 916-263-8865

Lead Agency (if different from above):

County Clerk

County of:

Address:

Address:

Contact:

Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2009051102

Project Title: New Long Beach Courthouse

Project Location (include county): West Broadway/Magnolia Street/3rd Street/Maine Street; Long Beach, Los Angeles County

Project Description: The proposed project includes the exchange of parcels between the Administrative Office of the Courts and City's Redevelopment Agency; construction of the new courthouse with space for the County of Los Angeles, commercial tenants, and retail tenants; renovation of an existing parking structure; and operation of the new courthouse for the Superior Court of California, County of Los Angeles. The new courthouse will have approximately 31 courtrooms. The new courthouse will replace the Superior Court's existing facilities in Long Beach.

This is to advise that the Administrative Office of the Courts has approved the above described project on 8/7/2009 and has made the following determinations regarding the above described project:

- 1. The project [ ] will [ ] will not] have a significant effect on the environment.
2. [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were were-not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was was-not ] adopted for this project.
5. A statement of Overriding Considerations [ was was not] adopted for this project.
6. Findings [ were were-not ] made pursuant to the provisions of CEQA.

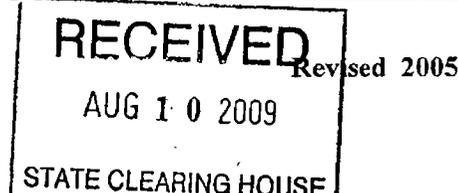
This is to certify that the final Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Administrative Office of the Courts, 2860 Gateway Oaks, Suite 400, Sacramento, CA 95833-3509

Signature (Public Agency) Jerome J. Ripperda Title: Environmental Analyst

Date: August 10, 2009 Date Received for filing at OPR:

Authority cited: Section 21083, Public Resources Code. Reference: Sections 21000-21174, Public Resources Code.



## **Exhibit B**

### Mitigated Negative Declaration

Due to the large size of this document, copies will be provided upon request. To request a copy, please contact Jamilla Vollman at (562) 570-6582.

## Exhibit C

**SUMMARY REPORT PURSUANT TO  
CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433  
ON AN  
AGREEMENT FOR THE EXCHANGE OF REAL PROPERTY AND ESCROW INSTRUCTIONS  
BY AND BETWEEN THE  
REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH  
AND  
THE JUDICIAL COUNCIL OF CALIFORNIA,  
ADMINISTRATIVE OFFICE OF THE COURTS**

The following Summary Report has been prepared pursuant to California Health and Safety Code Section 33433 (Section 33433). The report sets forth certain details of the proposed Agreement for the Exchange of Real Property and Escrow Instructions (Agreement) between the Redevelopment Agency of the City of Long Beach (Agency) and The Judicial Council of California, Administrative Office of the Courts (AOC). The purpose of the Agreement is to effectuate the Redevelopment Plans for the Central and Downtown Long Beach Redevelopment Project Areas (Project Areas).

The Agreement requires the Agency to convey a 5.4 acre site bounded by West Broadway, Maine Avenue, West Third Street, and Magnolia Avenue (Agency Site) to the AOC. As compensation for the Agency Site, the AOC will convey the 3.8 acre site located at 415 West Ocean Boulevard to the Agency. This property includes the existing Long Beach Courthouse and surface parking improvements (Existing Courthouse Site).

The AOC currently owns the Existing Courthouse Site. The AOC plans to develop a new trial court facility on the Agency Site. The AOC also plans to renovate an existing parking structure located at 101 Magnolia Avenue (Existing Parking Structure) to serve the new court building. The new trial court facility and parking renovation are collectively referred to as the "Courthouse Project".

The Agreement requires the Agency to reimburse the AOC for off-site costs, utility relocation and other construction costs totaling \$7 million. Up to \$2 million of these costs will be reimbursed during the Courthouse Project's construction. The balance of the reimbursement payments will be paid in 20 annual installments.

The following Summary Report is based upon information contained within the Agreement, and is organized into the following seven sections:

- I. **Salient Points of the Agreement:** This section summarizes the major responsibilities imposed on the Agency and the AOC by the Agreement.

- II. **Cost of the Agreement to the Agency:** This section details the total cost to the Agency associated with implementing the Agreement.
- III. **Estimated Value of the Interests to be Conveyed Determined at the Highest Use Permitted under the Redevelopment Plan:** This section estimates the value of the interests to be conveyed determined at the highest use permitted under the Agency Site's existing zoning and the requirements imposed by the Redevelopment Plan for the Project Areas (Redevelopment Plan).
- IV. **Estimated Reuse Value of the Interests to be Conveyed:** This section summarizes the valuation estimate for the Agency Site based on the required scope of development, and the other conditions and covenants required by the Agreement.
- V. **Consideration Received and Comparison with the Established Value:** This section describes the compensation to be received by the Agency, and explains any difference between the compensation to be received and the established value of the Agency Site.
- VI. **Blight Elimination:** This section describes the existing blighting conditions on the Agency Site, and explains how the Agreement will assist in alleviating the blighting influence.
- VII. **Conformance with the AB1290 Implementation Plan:** This section describes how the Agreement achieves goals identified in the Agency's adopted AB1290 Implementation Plan.

This report and the Agreement are to be made available for public inspection prior to the approval of the Agreement.

## I. SALIENT POINTS OF THE AGREEMENT

### A. AOC Responsibilities

The Agreement requires the AOC to accept the following responsibilities:

- 1. The AOC agrees to purchase the Agency Site. The purchase price will be paid in kind by conveyance of the Existing Courthouse Site to the Agency.
- 2. The AOC must accept the Agency Site in an "as is with all faults" condition. The Agency will make no representations or warranties of any kind regarding the property's condition.
- 3. The Existing Courthouse Site will be conveyed to the Agency excluding the following assets:

- a. All interior improvements, fixtures, furniture, trade fixtures, furnishings, equipment, interior and exterior works of art and articles of personal property installed in or on the Existing Courthouse Site by the AOC.
  - b. All interior improvements, fixtures, furniture, trade fixtures, furnishings, equipment, interior and exterior works of art and articles of personal property installed in or on the Existing Courthouse Site by the Los Angeles County (County).
  - c. The AOC's interest as landlord, lessor or licensor under the "Existing Occupancy Agreements". The AOC shall be entitled to all rents, proceeds and revenues from the Existing Occupancy Agreements.
4. Prior to the close of escrow the AOC must meet the following conditions:
- a. The AOC must have approved all "Due Diligence Inspections".
  - b. The AOC must approve the condition of the title for the Agency Site.
  - c. The AOC, as tenant, must execute the "Existing Courthouse Lease":
    - i. The Existing Courthouse Lease will become effective at the close of escrow.
    - ii. When the AOC relocates to the Courthouse Project, the Existing Courthouse Lease and all other subleases, licenses and occupancy agreements to which the AOC is a party shall terminate.
    - iii. The AOC must then deliver possession to the Agency of the Existing Courthouse Site free and clear of encumbrances and rights of possession.
  - d. The "Joint Occupancy Agreement" between the AOC and the County must be subordinated to the Existing Courthouse Lease between the Agency and the AOC.
5. The AOC must obtain a "Certificate of Acceptance" from the Public Works Board (PWB) for the acquisition of the Agency Site.
6. The AOC must in good faith consider the Agency's comments with respect to developer selection and design review for the Courthouse Project.
7. Upon completion of the selection process, the AOC's selected developer for the Courthouse Project must secure financing for the Courthouse Project.

8. The AOC must submit bids for the utilities relocation work to the Agency. The Agency has approval rights over the award of the contract for the utilities relocation work.
9. The AOC anticipates that at the close of escrow it will enter into a ground lease with a developer for the Courthouse Project. The Agreement requires the AOC to use commercially reasonable efforts to require the selected developer to enter into a lease or license agreement with the Agency for portions of the Agency Site. This provision will only be implemented if construction is not going to commence in accordance with the timeline identified in the Agreement.

**B. Agency Responsibilities**

The Agreement imposes the following responsibilities on the Agency:

1. The Agency must convey the Agency Site to the AOC.
2. The Agency must reimburse the AOC for \$7 million in off-site costs, utility relocation costs and other approved construction costs. The reimbursements must be made as follows:
  - a. Up to \$2 million in costs will be reimbursed during the Courthouse Project's construction.
  - b. The balance remaining after construction is completed must be paid in 20 annual installment payments:
    - i. No interest will accrue on the outstanding balances during the 20-year reimbursement term.
    - ii. Under the assumption that the reimbursement totals \$5 million, the payments equal \$250,000 per year.
3. The Agency must accept the Existing Courthouse Site in an "as is with all faults" condition. The AOC will make no representations or warranties of any kind regarding the property's condition.
4. Prior to the close of escrow, the Agency must complete the following activities:
  - a. The Agency must approve the condition of the Existing Courthouse Site.
  - b. The Agency must approve the condition of the title for the Existing Courthouse Site.

- c. The Agency's governing body must approve the acquisition of the Existing Courthouse Site.
  - d. The Agency must submit:
    - i. Evidence of financing for the agreed upon reimbursements to the AOC; and
    - ii. Evidence that the Courthouse Project is consistent with the Redevelopment Plan and, if applicable, the Long Beach Downtown Community Plan.
5. The Agency, as landlord, must execute the Existing Courthouse Lease. The Agency must lease the Existing Courthouse Site to the AOC until completion of the Courthouse Project.
- a. The "Initial Lease Term" shall terminate at the earlier of 30 days after the Existing Courthouse Site is vacated or five years. In addition, the AOC must be provided with options for 5 one-year extensions.
  - b. The rent for the Initial Lease Term shall be set at \$1 per year on a triple net basis. The rent for the extensions will be set at the prevailing market rate.
6. The Agency shall cooperate with the AOC to obtain from the City of Long Beach (City):
- a. A resolution ordering the vacation of Daisy Avenue between Third Street and Broadway, as well as all other public alleys and rights-of-way on the Agency Site.
  - b. Approval of a 15-foot pedestrian walkway along Third Street; and
  - c. Any entitlements required to develop the proposed Courthouse Project.

**II. COST OF THE AGREEMENT TO THE AGENCY**

**A. Agency Costs**

The Agency costs to implement the Agreement are estimated as follows:

<u>Assemblage Costs: Agency Site</u>	
Acquisition Costs	\$18,958,000
Relocation Costs	2,655,000
Miscellaneous Costs	2,197,000
<b>Total Assemblage Costs</b>	<b>\$23,810,000</b>

<u>Cost Reimbursements</u>	
Reimbursement During Courthouse Project Construction	\$2,000,000
NPV 20 Annual Payments @ \$250,000 / Year	2,867,000
Total Cost Reimbursements	\$4,867,000
Total Agency Cost	\$28,677,000

The assemblage costs total \$23,810,000, and the cost reimbursements are estimated at \$4,867,000. The Agency costs total \$28,677,000.

**B. Agency Revenues**

The Agency will receive revenues that will offset a portion of the Agency costs. The Agency will receive the Existing Courthouse Site as compensation for the conveyance of the Agency Site. Based on an appraisal dated February 1, 2008, the value of the Existing Courthouse Site is \$24.2 million.<sup>1</sup>

**C. Net Agency Cost**

The Agency costs are estimated at \$28.7 million and the Agency revenues are estimated at \$24.2 million. The resulting net Agency cost totals \$4.5 million.

**III. ESTIMATED VALUE OF THE INTERESTS TO BE CONVEYED DETERMINED AT THE HIGHEST USE PERMITTED UNDER THE REDEVELOPMENT PLAN**

Section 33433 requires the Agency to identify the value of the Agency Site at the highest use allowed by the current zoning and by the Redevelopment Plan. The valuation must be based on the assumption that the Agency Site is vacant and that near-term development is required; but the valuation does not take into consideration any extraordinary restrictions and/or benefits that will result from Agency actions.

On March 12, 2008, an appraisal (Appraisal) was prepared for the Agency Site. The appraisal concluded that mixed-use development is the highest and best use of the properties, and set the value at \$80 per square foot of land area. This equates to \$18.9 million for the Agency Site.

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<sup>1</sup> The value is allocated between land and improvements. The land value was set at \$14.2 million and the improvements value was set at \$10 million.

#### **IV. ESTIMATED REUSE VALUE OF THE INTERESTS TO BE CONVEYED**

The AOC will be developing a public use on the Agency Site. Recognizing that the Courthouse Project is not an income producing use, the reuse value cannot be measured in traditional terms. Rather, this type of institutional use typically purchases property at the fair market value at the highest and best use. Thus, the fair reuse value for the Agency Site is estimated at \$18.9 million.

#### **V. CONSIDERATION RECEIVED AND COMPARISON WITH THE ESTABLISHED VALUE**

The Agreement requires the AOC to convey the Existing Courthouse Site to the Agency. This property has an appraised value of \$24.2 million.

The Agreement requires the Agency to convey the Agency Site, and to provide cost reimbursements, to the AOC. The value of these interests is estimated at \$23.8 million.

1. The value of the Agency Site is estimated at \$18.9 million.
2. A \$2 million cost reimbursement is assumed to be made during the Courthouse Project's construction.
3. The present value of \$250,000 annual installment payments over a 20-year term is estimated at \$2.9 million.

The value of the interests being conveyed by the AOC is approximately \$400,000 greater than the interests being conveyed by the Agency. Therefore, it can be concluded that the Agency is receiving fair compensation for the interests being conveyed.

#### **VI. BLIGHT ELIMINATION**

The Agency Site is deemed to be blighted in its current state. The implementation of the Agreement will result in the consolidation and development of the Agency Site with a new modern courthouse use. This development will eliminate the blighting conditions on the Agency Site. Thus, the implementation of the Agreement fulfills the blight elimination requirement imposed by Section 33433.

#### **VII. CONFORMANCE WITH THE AB1290 IMPLEMENTATION PLAN**

The Agreement will assist the Agency in meeting the objectives and goals of its Implementation Plan in the following manner:

1. The development will serve to eliminate inadequate or deteriorated public improvements and facilities.
2. The Courthouse Project provides improved pedestrian and vehicular circulation in the Project Areas.
3. The development of the Agency Site will strengthen the economic base of the Project Areas and the community by providing needed site improvements and infrastructure. This will assist in stimulating new development and promoting employment and economic growth.

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH MAKING CERTAIN FINDINGS  
REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC  
IMPROVEMENTS WITH REDEVELOPMENT FUNDS  
(STATE COURTHOUSE PROJECT)

WHEREAS, the City Council of the City of Long Beach adopted and approved a certain Redevelopment Plan (the "Redevelopment Plan") for the Central Redevelopment Project (the "Project"); and

WHEREAS, in furtherance of the Project and the immediate neighborhood in which the Project is located, the Redevelopment Agency of the City of Long Beach, California (the "Agency"), has recognized the need for certain public improvements, which improvements will be located within the boundaries of the Project and adjacent thereto; and proposes to use redevelopment funds to finance the improvements; and

WHEREAS, Section 33445 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) requires the Agency to make certain findings prior to the acquisition of land and construction of public improvements or facilities thereon; and

WHEREAS, Section 33678 of the Community Redevelopment Law provides that under certain conditions tax increment funds shall not be subject to the appropriations limitation of Article XIII B of the California Constitution;

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

Section 1. The City Council determines that the construction of public improvements, more particularly described in Exhibit "A", are of benefit to the Project and the immediate neighborhood in which the Project is located. This finding is supported by

1 the following facts:

2           The construction of the public improvements will assist in the  
3 development of a new courthouse in the Central Project Area, which will  
4 eliminate blighting conditions now present on the proposed courthouse site.  
5 This development will help create a safe, more cohesive and economically  
6 dynamic neighborhood, increase the safety of residents, promote job  
7 creation, promote business attraction and retention, and spur economic  
8 revitalization in the Project Area.

9           Section 2. The City Council determines that no other reasonable means  
10 of financing the above-described improvements are available to the community. This  
11 finding is supported by the following facts:

12           Before the passage of Proposition 13, most of the City's general  
13 operating and capital improvements were funded through property taxes.  
14 However, the initiative placed severe constraints on the City's ability to use  
15 property tax revenues to offset increases in operating and capital costs. It  
16 has also been difficult for the City, by itself, to provide sufficient funds to  
17 support the construction of major public improvements. In fiscal year 2009-  
18 2010, the limited resources of the City's General Fund are committed to  
19 previously incurred obligations and planned projects.

20           Section 3. The City Council further determines that the payment of funds  
21 for the construction of the public improvements will assist in the elimination of one or  
22 more blighting conditions within the Project, and is consistent with the implementation  
23 plan adopted pursuant to Health and Safety Code Section 33490.

24           Section 4. This resolution shall take effect immediately upon its adoption  
25 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

26 ///

27 ///

28 ///



## EXHIBIT "A"

Street improvements, sidewalk improvements, traffic signalization improvements, street lighting, subsurface improvements and relocation of existing utilities in the area bounded by Ocean Boulevard, Maine Avenue, 5<sup>th</sup> Street and Pacific Avenue.

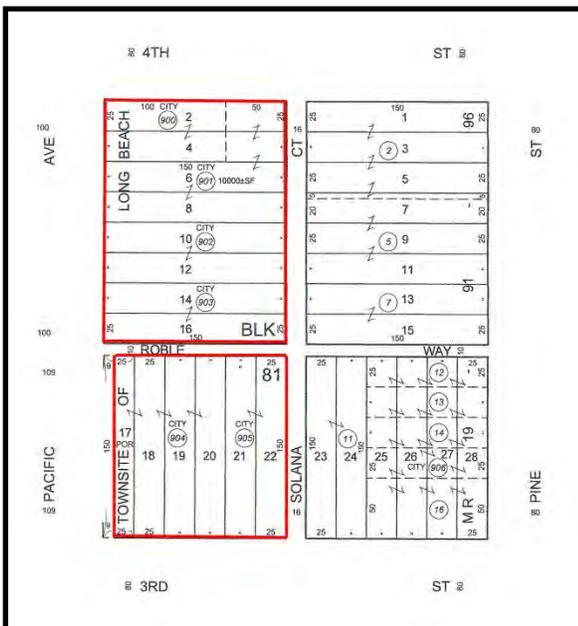
94-99).

# 3<sup>rd</sup> & Pacific Development



### Parcel Data:

Property Type:	Parking Lot
Permissible Use:	Future Development
Property Address:	328-348 Pacific Ave/ 125-145 W. 3 <sup>rd</sup> St/ 124 & 128 4 <sup>th</sup> Street
Assessor ID Number(s):	7280-016-900, -901, -902, -903, -904, -905
Lot Size (SF):	52,500
Zoning:	LBPD30
Council District:	1
Strategic Plan:	Downtown Guide for Development



These properties were initially acquired to eliminate blight, blighting influences, overcrowded conditions and beacons of crime. The previous land uses includes high density multi-family residential projects that were nuisance properties. The assembled properties currently function as a public parking lot and a City employee-only parking lot. The entire assembled site had been identified as a possible site for a future parking garage, which was to have been funded through a multi-million dollar grant from METRO. However, the dissolution of the Redevelopment Agency caused the Agency to default on the grant, and the economic recession forestalled any commercial development. The properties are intended to be developed, through a competitive RFP selection process, in support of the revitalization of downtown through either high density residential development or supporting commercial or retail development in accordance with the Downtown Plan zoning code.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





**Date:** December 15, 2003  
**To:** Redevelopment Agency Board Members  
**From:** Melanie S. Fallon, Executive Director  
**Subject:** **Mitigated Negative Declaration ND-28-03 and Resolutions of Necessity for Acquisition of Property at 328 – 338 Pacific Avenue, Assessor Parcel Numbers 7280-016-006, 008 and 125 – 131 West 3<sup>rd</sup> Street, Assessor Parcel Numbers 7280-016-010, 017 – Downtown Long Beach Redevelopment Project Area (CD 1)**

---

RECOMMENDED ACTION

It is recommended that the Redevelopment Agency Board:

- Hold the hearing on the Resolutions of Necessity to determine the public interest and necessity for acquiring and authorizing the condemnation of real property at 328 – 338 Pacific Avenue, Assessor Parcel Numbers 7280-016-006, 008 and 125 – 131 West 3<sup>rd</sup> Street, Assessor Parcel Numbers 7280-016-010, 017, including land, improvements and fixtures and equipment;
- Receive testimony from staff and property owners(s) with interest in the property (if required written requests to be heard have been received);
- Certify Mitigated Negative Declaration No. ND-28-03; and
- Adopt the Resolutions of Necessity making the findings required by law, including determining the public interest and necessity for acquiring, and authorizing the condemnation of, certain real property within the Downtown Long Beach Redevelopment Project Area.

BACKGROUND

The primary objective of the Redevelopment Plan with respect to the Downtown Project Area is to revitalize the City's downtown area by restoring this area to a center for business and commerce. General objectives of the Redevelopment Plan include diversifying land uses in the downtown to make it the principal focus of the City's cultural, employment, retail, service and visitor activities and a meaningful place in which to live and work. Since the Downtown Project Area was adopted, the public and private sector have invested more than \$1 billion. The redevelopment of Downtown has created more than 25,000 permanent jobs and annually attracts millions of shoppers, tourists, and residents.

Conditions in the Downtown Project Area before adoption of the Redevelopment Plan met statutory conditions for blight with findings of high vacancy rates, poor housing accommodations, and older, substandard, and deteriorated commercial structures. Additionally, parking has long been considered a primary component in the revitalization of the retail district on Pine Avenue and in other portions of the Downtown Project Area. Dense development on small individual parcels

makes it difficult to provide on-site parking. Many small surface parking lots are scattered throughout the area and are the result of the demolition of unsound structures, not of any plan to provide parking in logical locations. Because of the small size of many Downtown Project Area parcels, the Agency will need to acquire the land necessary to provide parking in sufficient quantities and in the locations where it is needed.

To identify and acquire property necessary for additional parking in the Downtown Project Area, Agency staff and the Downtown Long Beach Associates (DLBA) worked in close coordination to create the Downtown Parking Task Force. After studying a number of locations, the Task Force selected the east side of Pacific Avenue between 3<sup>rd</sup> and 4<sup>th</sup> Streets as their preferred location (Site). Please see the attached **Exhibit 1**. The Site includes the subject properties.

In September 2002, the Agency hired International Parking Designs, Inc. to analyze the Site to determine the most efficient design of, and to anticipate revenues and operating expenses generated from, a parking structure that could be built at this site. Among other conclusions, the analysis revealed that the Site could accommodate 1,023 parking spaces.

Concurrently, Agency staff initiated acquisition efforts for the preferred site. Since that time, staff has been negotiating with the owners of record to acquire the property necessary for the proposed parking structure.

The Site contains unimproved property utilized as a surface parking area for approximately 87 vehicles and two multi-family buildings containing a total of 37 dwelling units. On June 9, 2003, the Agency approved the Replacement Housing Plan and on September 22, 2003, the Agency approved the Relocation Plan. The surface parking use may continue as an interim use until such time as the parking structure is designed and constructed. All future development will be subject to further review under the California Environmental Quality Act when a definitive development is proposed.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act, a Mitigated Negative Declaration has been prepared to identify the significant impacts created by acquisition of the Site. The acquisition of the Site conforms to a phased implementation of the Downtown Redevelopment Plan, including blight removal through the acquisition of property for land assembly and future development. The future development of the Site for a parking structure will be subject to

further review under the California Environmental Quality Act. Please see attached **Exhibit 2**.

The Redevelopment Agency, then, can find the following:

- Pursuant to California Environmental Quality Act Guidelines, an Initial Study has been conducted to determine whether the project may have a significant adverse effect on the environment. On the basis of that study, it has been determined that the project will not have a significant adverse effect on the environment and does not require the preparation of an Environmental Impact Report. The project will not create a significant adverse effect on the environment because the Mitigation Measures described in the Initial Study have been added to the project. As a result, a Mitigated Negative Declaration has been prepared.
- Pursuant to California Environmental Quality Act, the Notice of Preparation, and the draft Mitigated Negative Declaration were released for circulation on November 20, 2003. The circulation period for comments started on November 23, 2003 and ended December 12, 2003. To date, no comments have been received.
- Pursuant to California Environmental Quality Act Guidelines, Agency staff and the Redevelopment Agency Board have independently analyzed the Initial Study and the Mitigated Negative Declaration, and the Mitigated Negative Declaration represents the independent judgment and analysis of the Redevelopment Agency Board of the City of Long Beach, California, as lead agency with respect to the project.
- Based upon the Mitigated Negative Declaration, public comments, and the record before the Redevelopment Agency Board, the Agency finds that the following environmental impact areas will have less than significant impacts and will not require mitigation: Aesthetics, Agricultural, Biological, Mineral and Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Noise, Public Service, Recreation and Hydrology and Utilities.
- Based upon the Mitigated Negative Declaration, public comments and the record before the Redevelopment Agency Board, the Agency finds that the following environmental impacts areas will have less than significant impacts on the environmental with mitigation: Air Quality, Population and Housing, and Transportation and Traffic.

### RESOLUTION OF NECESSITY

An appraisal of the subject properties and improvements was prepared by an independent appraiser, Flavell, Tennenbaum & Edwards on July 17, 2002. Addenda to this appraisal were prepared in July 2003.

Offers to purchase the properties at 328 – 338 Pacific Avenue at Fair Market Value pursuant to Government Code section 7267.2(a), dated August 21, 2002 were submitted to the owner of the properties. The Fair Market Value of the properties and improvements was \$1,370,000. The owner rejected the offer. On August 13, 2003, a revised offer was presented to the owner of the properties. The revised Fair Market Value of the properties and improvements was \$1,650,000. The owner again rejected the offer.

An offer to purchase the property at 125 West 3<sup>rd</sup> Street at Fair Market Value pursuant to Government Code section 7267.2(a), dated February 13, 2003 was submitted to the owner of the property. The Fair Market Value of the property and improvements was \$300,000. The owner rejected the offer. On August 25, 2003, a revised offer was presented to the owner of the property. The revised Fair Market Value of the property and improvements was \$315,000. The owner again rejected the offer.

An offer to purchase the property at 131 West 3<sup>rd</sup> Street at Fair Market Value pursuant to Government Code section 7267.2(a), dated March 18, 2003 was submitted to the owner of the property. The Fair Market Value of the property and improvements was \$546,000. The owner rejected the offer. On August 25, 2003, a revised offer was presented to the owner of the property. The revised Fair Market Value of the property and improvements was \$575,000. The owner again rejected the offer.

Notice of the Hearing on the Resolutions of Necessity was mailed on November 25, 2003 by certified mail, return receipt requested, and U.S. mail to the owners of record. Said owners were notified that if they wish to appear at the hearing and be heard, they must file a written request to appear with the City Clerk fifteen (15) days from the date the notice was mailed. The Resolutions of Necessity are attached as **Exhibit 3**.

Code of Civil Procedure section 1245.230 requires that the Resolutions of Necessity be adopted after a hearing at which time the governing body of the public entity must find and determine each of the following:

1. Whether the public interest and necessity require the proposed project;

2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the proposed project; and
4. Whether the offer required by Government Code section 7267.2(a) has been made to the property owner or owners of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

Recommended findings of the Redevelopment Agency Board as they relate to the acquisition of property at 328 – 338 Pacific Avenue and 125-131 West 3<sup>rd</sup> Street are as follows:

1. Public interest and necessity require acquisition of real property.

The Redevelopment Plan for the Downtown Long Beach Redevelopment Project Area was first adopted on June 17, 1975. There have been four amendments to the Plan. The goals of the Redevelopment Plan include the elimination of blighting influences and incompatible and uneconomic land uses. Additionally, the Redevelopment Plan recognizes that parking is a primary component in the revitalization of the retail district on Pine Avenue. The subject property has been identified as the preferred site for a future parking garage and must be assembled to accommodate the proposed structure.

2. The proposed project is planned and located in such a way as to do the greatest public good and the least private injury.

The fundamental purpose of the Redevelopment Plan is to improve the quality of life for residents and business enterprises within the Downtown Project Area. Additionally, persons who are owners of real property in the Downtown Project Area have been given a reasonable opportunity to participate in the redevelopment of the Downtown Project Area consistent with the objectives of the Redevelopment Plan. The preferred site was identified through an exhaustive review conducted with considerable community, business, and staff input. The site is the best possible site and is expected to produce the greatest public good with the least private injury.

3. The property sought to be acquired is necessary for the proposed project.

The subject properties are integral to the future construction of a parking garage. Additionally, it is in the public interest to acquire the subject property in order to eliminate blighting influences, correct a land use deficiency and remove deteriorated buildings within the Downtown Project Area. This action will further the goals and objectives of the Redevelopment Plan for the Downtown Long Beach Redevelopment Project.

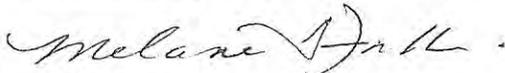
4. The offer of just compensation has been made to the property owners.

The subject properties were appraised by an independent appraiser, Flavell, Tennenbaum & Edwards on July 17, 2002 and updated in July 2003. Offers at Fair Market Value were presented to the owners. Both the original offer and the updated offer were rejected. Due to the refusal of the owners to accept the Agency's offer of just compensation based on the Fair Market Value, the property cannot be acquired except by the Agency's exercise of its power of eminent domain.

It is recommended that the Redevelopment Agency Board:

- Hold the hearing on the Resolutions of Necessity to determine the public interest and necessity for acquiring, and authorizing the condemnation of, real property at 328 – 338 Pacific Avenue, Assessor Parcel Numbers 7280-016-006, 008 and 125 – 131 West 3<sup>rd</sup> Street, Assessor Parcel Numbers 7280-016-010, 017, including land, improvements and fixtures and equipment;
- Receive testimony from staff and property owners(s) with interest in the property (if required written requests to be heard have been received);
- Certify Mitigated Negative Declaration No. ND-28-03; and
- Adopt the Resolutions of Necessity making the findings required by law, including determining the public interest and necessity for acquiring, and authorizing the condemnation of, certain real property within the Downtown Long Beach Redevelopment Project Area.

Respectfully Submitted,



MELANIE S. FALLON  
EXECUTIVE DIRECTOR

APPROVED:



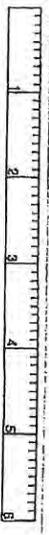
GERALD R. MILLER  
CITY MANAGER

# EXHIBIT 1

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Estimate/Revision: 25



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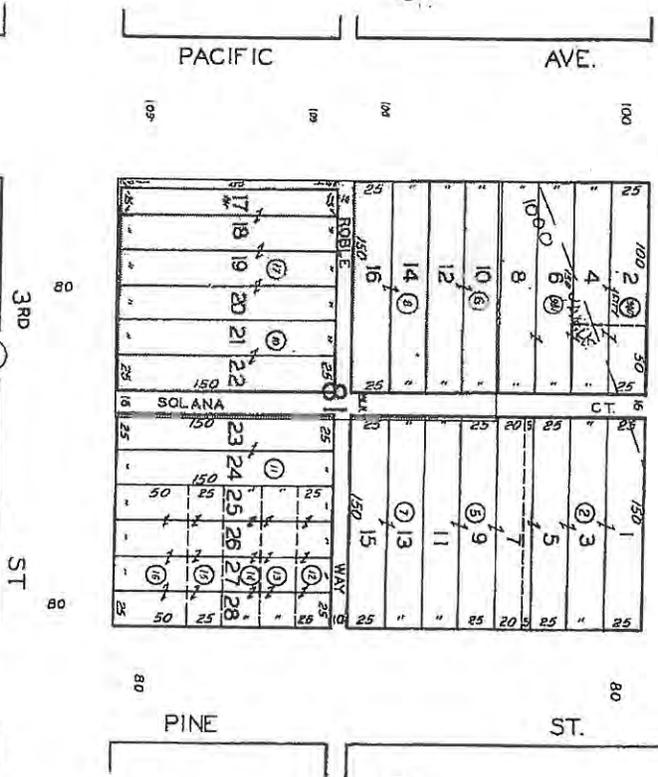
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ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.

TOWNSITE OF LONG BEACH



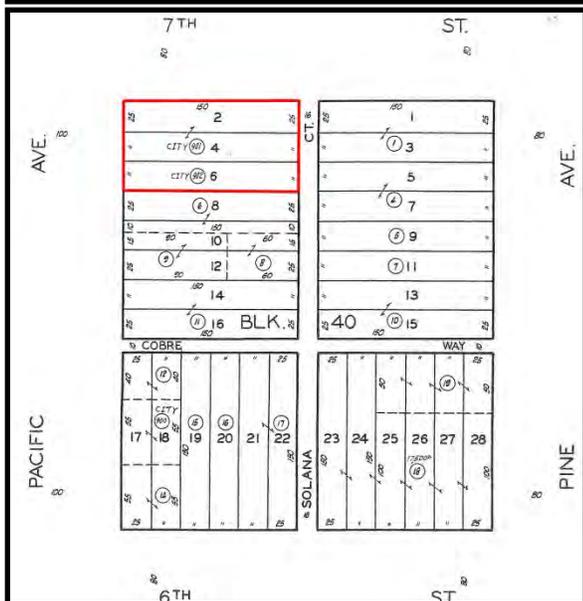
**STAFF REPORT UNAVAILABLE**

# 100-101). 7<sup>th</sup> & Pacific Development



## Parcel Data:

Property Type:	Parking Lot
Permissible Use:	Future Development
Property Address:	140 W. 7 <sup>th</sup> Street / 650-56 Pacific Avenue
Assessor ID Number(s):	7273-024-901, -902
Lot Size (SF):	11,250
Zoning:	LBPD30
Council District:	1
Strategic Plan:	Downtown Guide for Development



These properties were initially acquired to eliminate blight, blighting influences, overcrowded conditions and beacons of crime. The assembled properties currently function as a public parking lot. The economic recession forestalled any commercial development. The properties are intended to be developed, through a competitive RFP selection process, in support of the revitalization of downtown through either high density residential development or supporting commercial or retail development in accordance with the Downtown Plan zoning code.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**



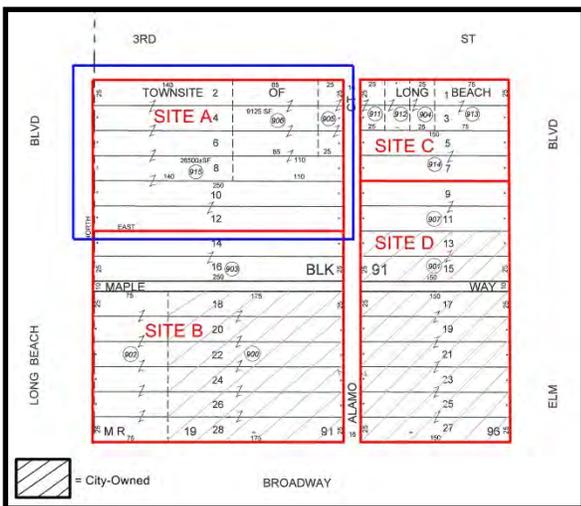
STAFF REPORT UNAVAILABLE

# 102-104). Broadway Block Development – Site A



## Parcel Data:

Property Type:	Commercial
Permissible Use:	Future Development
Property Address:	320-338 E. 3 <sup>rd</sup> St./ 240-256 Long Beach Blvd.
Assessor ID Number(s):	7281-017-905, -906, & -915
Lot Size (SF):	37,500
Zoning:	LBDP30
Council District:	2
Strategic Plan:	Downtown Guide for Development



These properties were acquired to eliminate blight and blighting influences and to assemble property into a block identified as Broadway Block – Site A. Broadway Block – Site A is integral to the East Village Arts District Guide to Development which is intended to strengthen connectivity between downtown and Alamitos Beach, encourage the development of creative space like 4<sup>th</sup> + Linden and promote and encourage a model of international living through a vision of progressiveness, diversity and culture, where residents would be proud to live, work and play. Broadway Block – Site A is former RDA-owned land which is proposed to be developed within certain parcel configurations and consistent with the vision and intent of the Downtown Plan. The former RDA was in pre-existing and near-final discussions with specific developers for each of the proposed development sites. It is anticipated that these discussions will continue upon the approval of the Plan. If continuing discussion fails to result in development agreements for any of the development sites, those sites would then be developed through a competitive RFP process that would continue to promote development consistent with the Arts District Guide to Development and the Downtown Plan.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

March 19, 2007

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 330-338 East Third Street for \$1,380,000 plus closing costs. (Downtown - District 2)

### DISCUSSION

Ernest E. Belcher Trust (Seller) owns the property at 330-338 East Third Street in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The property consists of two buildings (4,203 and 1,798 square feet, respectively) on an 11,000-square-foot lot.

In an appraisal dated September 11, 2006, the Redevelopment Agency's (Agency) appraiser valued the property at \$1,380,000. The Agency offered to purchase the property and the Seller has agreed to sell the property for the appraised value (\$125 per square foot). All occupants are tenants who rent on a month-to-month basis and will be relocated according to state relocation law.

This property is part of the Broadway Block development. Acquisition of the property is consistent with the Agency's goal to assemble the entire site and develop with residential, commercial and a public art center.

### SUGGESTED ACTION:

Approve recommendation.

REDEVELOPMENT AGENCY BOARD MEMBERS

March 19, 2007

Page 2

Respectfully submitted,



PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:CAB:BEC

APPROVED:



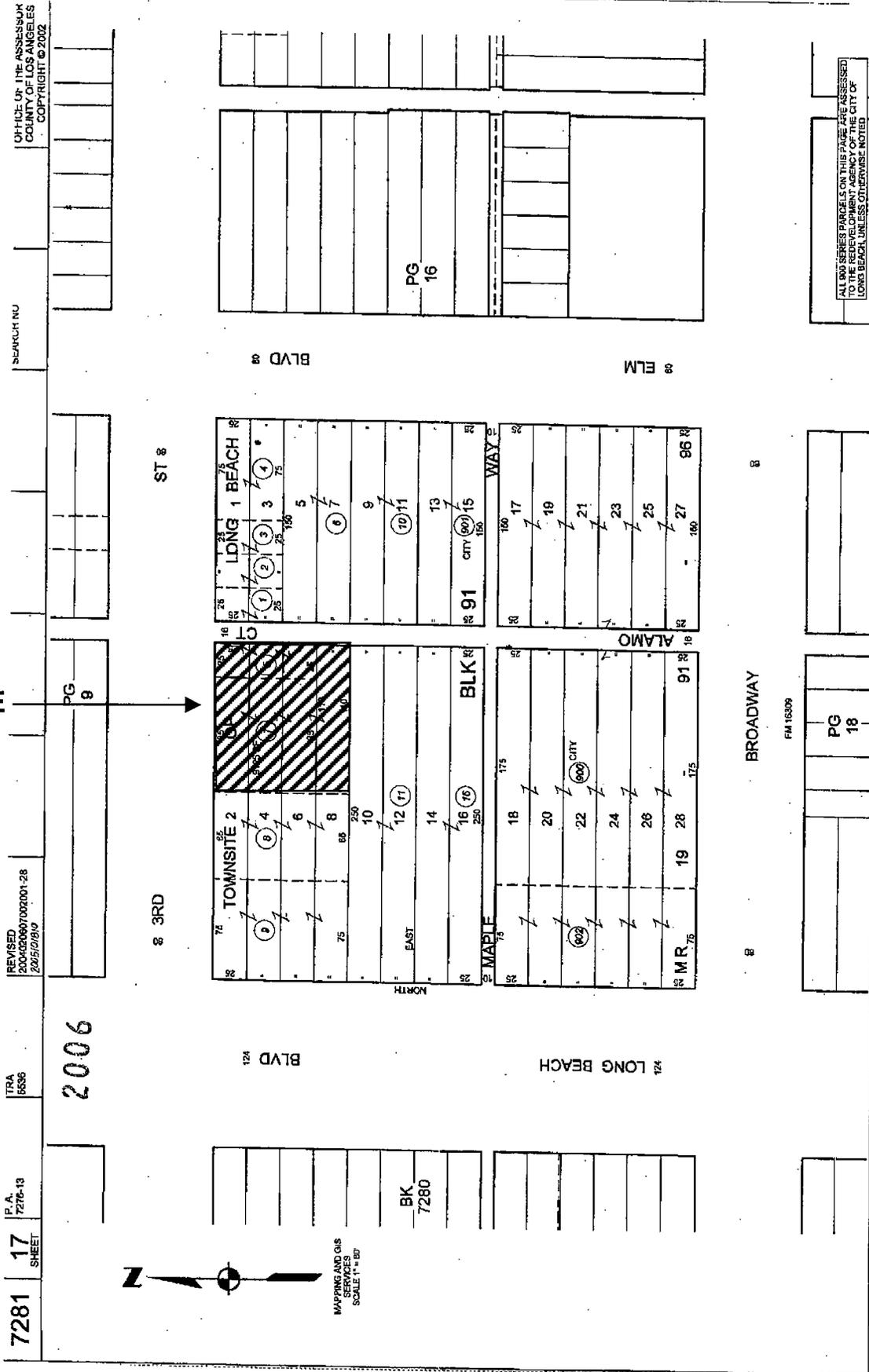
GERALD R. MILLER  
CITY MANAGER

Attachment: Exhibit A – Site Map

# EXHIBIT A

## County of Los Angeles: Rick Auerbach Assessor

### SITES





# Building A Better Long Beach

## Item 5

April 21, 2008

### REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Approve and authorize the Executive Director to enter into an all-inclusive settlement agreement and all other related documents for the acquisition of property at 240 Long Beach Boulevard for \$2,854,000 plus closing costs. (Downtown – District 2)

### DISCUSSION

Phil and Jacqueline Smith (Sellers) own the property at 240 Long Beach Boulevard (Exhibit A – Site Map) located on the Broadway Block project site. Acquisition of this property by the Redevelopment Agency (Agency) will assist in the development of the Broadway Block and is consistent with the Agency's goal to assemble the entire site for residential and commercial development, as well as a public art center.

The Sellers' property consists of a one-story, 12,000-square-foot commercial building on a 12,500-square-foot lot. In an independent appraisal dated October 20, 2006, the fair market value was determined to be \$2,140,000. The Sellers have agreed to sell the property to the Agency, as part of a voluntary all-inclusive settlement agreement (Agreement), for \$2,854,000.

According to the terms of the Agreement, the commercial tenant will remain in place for one year. The Agreement includes compensation for relocation in accordance with California Relocation Law. This is a voluntary sale, thus avoiding eminent domain action.

REDEVELOPMENT AGENCY BOARD MEMBERS

April 21, 2008

Page 2

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Beck', written over a horizontal line.

CRAIG BECK  
EXECUTIVE DIRECTOR

CB:DSW:BEC

Attachment: Exhibit A – Site Map





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

May 21, 2007

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 242-256 Long Beach Boulevard and 320 East Third Street for \$2,220,250 plus closing costs. (Downtown - District 2)

### DISCUSSION

Bank of America as Trustee for the Suzanne Weatherly Estate (Seller) owns the property at 242-256 Long Beach Boulevard and 320 East Third Street in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The property consists of a 4,600-square-foot multi-tenant commercial building and a 9,400-square-foot parking lot on a 14,000-square-foot lot.

In an appraisal dated January 2, 2007, the Redevelopment Agency's (Agency) appraiser valued the property at \$1,830,000. Agency staff has been in negotiations with the property owner for the past five months. The Seller has agreed to sell the property for \$2,220,250 (\$159 per square foot), which is 21 percent above the appraised value. Eligible tenants will be relocated according to state relocation law.

This property is part of the Broadway Block development. Acquisition of the property is consistent with the Agency's goal to assemble the entire site and develop with residential, commercial and a public art center.

### SUGGESTED ACTION:

Approve recommendation.

REDEVELOPMENT AGENCY BOARD MEMBERS

May 21, 2007

Page 2

Respectfully submitted,

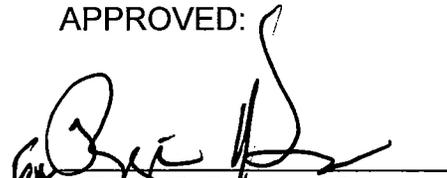


PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:CAB:BEC

Attachment: Exhibit A – Site Map

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER



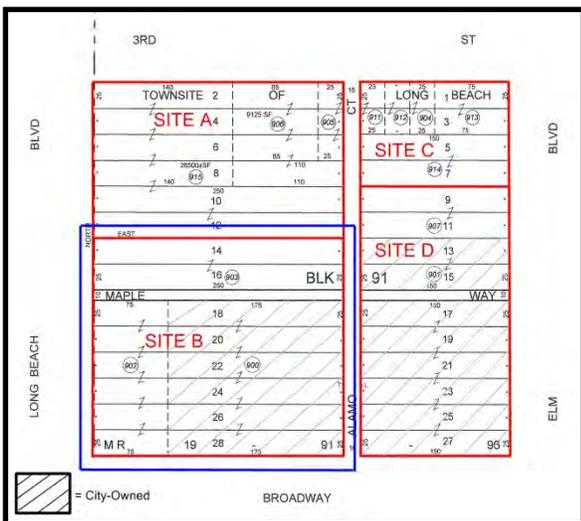
# 105-106). Broadway Block Development – Site B



## Parcel Data:

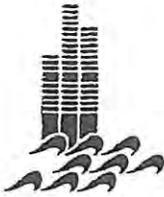
Property Type:	Commercial
Permissible Use:	Future Development
Property Address:	200-232 Long Beach Boulevard
Assessor ID Number(s):	7281-017-902, -903,
Lot Size (SF):	23,750
Zoning:	LBPD30
Council District:	2
Strategic Plan:	Downtown Guide for Development

These properties were acquired to eliminate blight and blighting influences and to assemble together with existing City-owned property into a block identified as Broadway Block – Site B. Broadway Block – Site B is integral to the East Village Arts District Guide to Development which is intended to strengthen connectivity between downtown and Alamitos Beach, encourage the development of creative space like 4<sup>th</sup> + Linden and promote and encourage a model of international living through a vision of progressiveness, diversity and culture, where residents would be proud to live, work and play. Broadway Block – Site B is a combination of former RDA and City-owned land which is proposed to be developed within certain parcel configurations and consistent with the vision and intent of the Downtown Plan. The former RDA was in pre-existing and near-final discussions with specific developers for each of the proposed development sites. It is anticipated that these discussions will continue upon the approval of the Plan. If continuing discussion fails to result in development agreements for any of the development sites, those sites would then be developed through a competitive RFP process, and in accordance with California Government Code, that would continue to promote development consistent with the Arts District Guide to Development and the Downtown Plan.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





# CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

C-6

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

October 12, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

SUBJECT: Purchase and Sale Agreement for Property Located at 200 Long Beach Boulevard – Downtown Redevelopment Project Area (District 2)

## DISCUSSION

The vacant parcel at 200 Long Beach Boulevard was once the site of the Kennedy Hotel (Exhibit A). Due to the deplorable condition of the building, the City demolished the Kennedy Hotel in 1999. When the Kennedy Hotel was still in operation, its owners borrowed funds from a City program for earthquake retrofitting. The property owners did not pay their earthquake assessment or property taxes for several years. The City of Long Beach took legal action to collect the unpaid earthquake assessments amounting to \$464,946, which resulted in the scheduling of a sheriff's sale of the property. On July 15, 2003, the City Council authorized staff to place a bid for 200 Long Beach Boulevard and to pay the delinquent property taxes. The City of Long Beach was the only bidder and purchased the property for \$464,946, which equaled the amount of the delinquent assessment. After acquiring the Kennedy Hotel at the sheriff's sale, the City paid delinquent property taxes amounting to \$259,190.

The City's Earthquake Assessment Surplus Fund was used to pay the cost of the sheriff's sale bid and the delinquent property taxes and assessments. The proceeds of the sheriff's sale were returned to the Earthquake Assessment Surplus Fund to satisfy the unpaid earthquake assessments. However, Los Angeles County will transfer the delinquent property taxes, paid by the City, to the Redevelopment Agency in a supplemental tax increment payment amounting to \$259,190.

Staff proposes that the City sell 200 Long Beach Boulevard to the Redevelopment Agency for \$333,645. In addition to the purchase price, the Redevelopment Agency would pay earthquake assessments that would increase its cost of ownership to \$461,742. The Redevelopment Agency approved the purchase of 200 Long Beach Boulevard on September 27, 2004. The Property Services Bureau prepared a valuation study for the Kennedy Hotel Site in January 2002, which valued the site at \$450,000.

As the new owner of the Kennedy Hotel Site, the Redevelopment Agency would be responsible for payment of the current year property taxes, the current year earthquake assessment and earthquake assessments due in future years. The earthquake assessment payments are calculated using an 11 percent interest rate. Since that interest rate is much higher than current interest rates, the Redevelopment Agency approved the payment of the entire balance of the earthquake assessments at a cost of \$128,097.

The vacant Kennedy Hotel Site is adjacent to a parking lot that the City received from the Edison Company (Exhibit A). This portion of the Downtown Redevelopment Project Area is likely to be redeveloped in the future and both sites would most likely be combined.

This letter was reviewed by Assistant City Attorney Heather Mahood on September 21, 2004, and Budget Management Officer David Wodynski on October 1, 2004.

#### TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

#### FISCAL IMPACT

The Fiscal Year 2005 Adopted Budget anticipated \$1.1 million in additional one-time revenue from the sale of City property. The sale of 200 Long Beach Boulevard to the Redevelopment Agency would result in a payment of \$333,645 to the General Fund, which represents the first step toward reaching this revenue goal. After acquisition of 200 Long Beach Boulevard, the Redevelopment Agency would repay the earthquake assessment at a cost of approximately \$128,097 to the City's Earthquake Assessment Surplus Fund. The entire cost of 200 Long Beach Boulevard to the Redevelopment Agency would be \$461,742.

Funding for this transaction was not included in the Fiscal Year 2005 (FY05) Budget; therefore, an appropriation increase is included in the recommendations below. The funding source will be the Downtown Redevelopment Project Area Fund Balance.

#### IT IS RECOMMENDED THAT THE CITY COUNCIL:

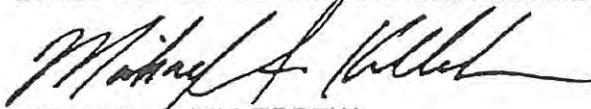
1. Approve and authorize the City Manager to execute a Purchase and Sale Agreement and all other related documents for the property at 200 Long Beach Boulevard for \$333,645; and
2. Increase appropriations in the Redevelopment Fund (RD) and the Department of Community Development (CD) by \$461,742.

HONORABLE MAYOR AND CITY COUNCIL  
October 12, 2004  
Page 3

Respectfully submitted,

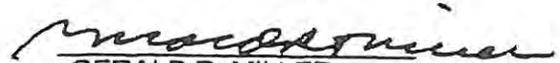


MELANIE S. FALLON  
DIRECTOR OF COMMUNITY DEVELOPMENT



MICHAEL A. KILLEBREW  
ACTING DIRECTOR OF FINANCIAL MANAGEMENT

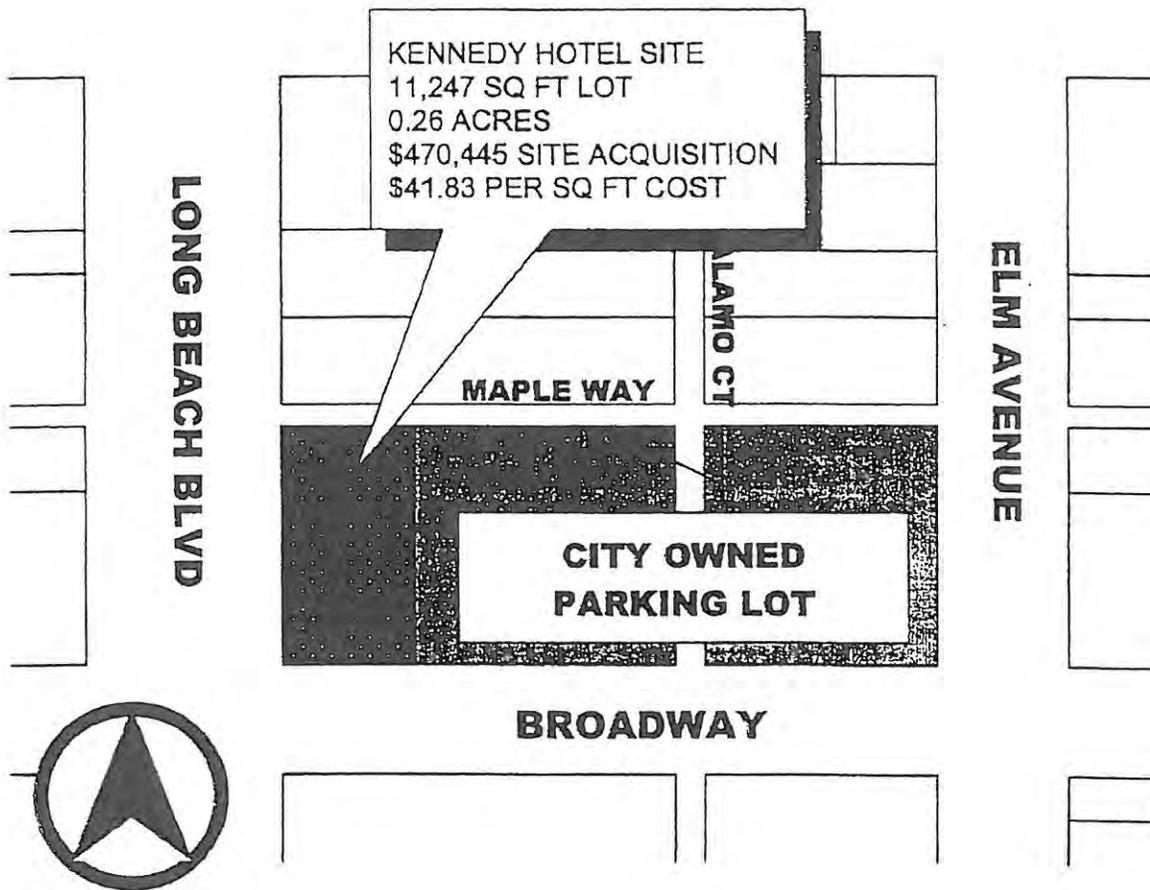
APPROVED:



GERALD R. MILLER  
CITY MANAGER

MSF:OWG:owg  
Attachments: Exhibit A – Site Map

**CITY OWNED VACANT PROPERTY  
KENNEDY HOTEL SITE  
200 LONG BEACH BLVD.  
DOWNTOWN REDEVELOPMENT PROJECT AREA**



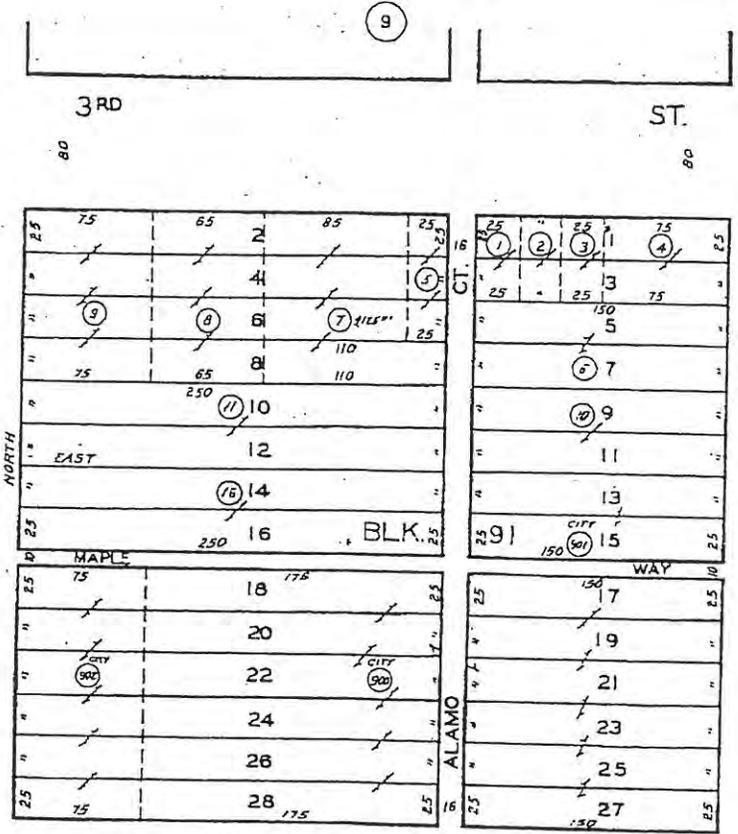
View Enlarged Map

View Printing Instructions

County of Los Angeles: Rick Auerbach, Assessor

7281 17  
SCALE 1" = 60'

2004



BK. 7280

CODE 5536

FOR PREV. ASSM'T. SEE: 7276-13

BROADWAY  
E.M. 16309  
TOWNSITE OF LONG BEACH  
M. R. 19-91-98

ABN: 728-017-902



**Date:** September 27, 2004  
**To:** Redevelopment Agency Board Members  
**From:** Melanie S. Fallon, Executive Director  
**Subject:** Purchase and Sale Agreement for Property Located at 200 Long Beach Boulevard – Downtown Redevelopment Project Area (CD 2)

---

#### RECOMMENDED ACTION

It is recommended that the Redevelopment Agency Board approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the property at 200 Long Beach Boulevard for \$333,645 plus closing costs and approve the payment of outstanding property taxes and earthquake assessments.

#### BACKGROUND

The vacant parcel at 200 Long Beach Boulevard was once the site of the Kennedy Hotel (Exhibit A). Due to the deplorable condition of the building, the City demolished the Kennedy Hotel in 1999. Years earlier when the Kennedy Hotel was still in operation, its owners borrowed funds from a City program for earthquake retrofitting, but did not pay the required assessment for many years. The City of Long Beach took legal action that resulted in a sheriff's sale of the property to satisfy unpaid earthquake assessments amounting to \$464,946. The City of Long Beach was the only bidder and purchased the property for \$464,946. The proceeds of the sheriff's sale were returned to the City to satisfy the unpaid earthquake assessments.

The owners of the Kennedy Hotel also did not pay their property taxes and delinquent property taxes amounting to \$333,645 were initially owed to Los Angeles County. Los Angeles County subsequently reduced the amount of property tax owed to \$259,190. After acquiring the Kennedy Hotel at the sheriff's sale, the City paid the delinquent property taxes. The County of Los Angeles will pay these delinquent property taxes to the Redevelopment Agency in a supplemental tax increment payment amounting to \$259,190. The Property Services Bureau prepared a valuation study for the Kennedy Hotel Site in January 2002, which valued the site at \$450,000 free and clear. The value of the property is likely higher at this time.

As the new owner of the Kennedy Hotel Site, the Redevelopment Agency would be responsible for payment of the current year property taxes, the current year earthquake assessment and earthquake assessments due in future years. The earthquake assessment payments are calculated using an 11% interest rate. Since that interest rate is much higher than current interest rates, staff recommends payment of the entire principal balance of the earthquake assessment at a cost of \$109,945.

The total cost to the Redevelopment Agency for ownership of 200 Long Beach Boulevard is given below:

Purchase Property from the City	\$333,645
Current Year Earthquake Assessment	18,152
Payoff Earthquake Assessment	109,945
<hr/> Total	<hr/> \$461,742

The total cost of the Kennedy Hotel Site to the Redevelopment Agency is essentially the same as its market value. The Kennedy Hotel Site is adjacent to a parking lot that the City received from the Edison Company (Exhibit A). This portion of the Downtown Project Area is likely to be redeveloped in the future and both sites would most likely be combined. The City Council must also approve the sale of 200 Long Beach Boulevard to the Redevelopment Agency.

The Downtown Project Area's time limit for the incurrence of debt expired on January 1, 2004, and the Project Area cannot commit tax increment to the acquisition of 200 Long Beach Boulevard. The Project Area can use its project income funds to acquire the site and pay the property taxes and earthquake assessments.

It is recommended that the Redevelopment Agency Board approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the property at 200 Long Beach Boulevard for \$333,645 plus closing costs and approve the payment of outstanding property taxes and earthquake assessments.

Respectfully submitted,



MELANIE S. FALLON  
EXECUTIVE DIRECTOR

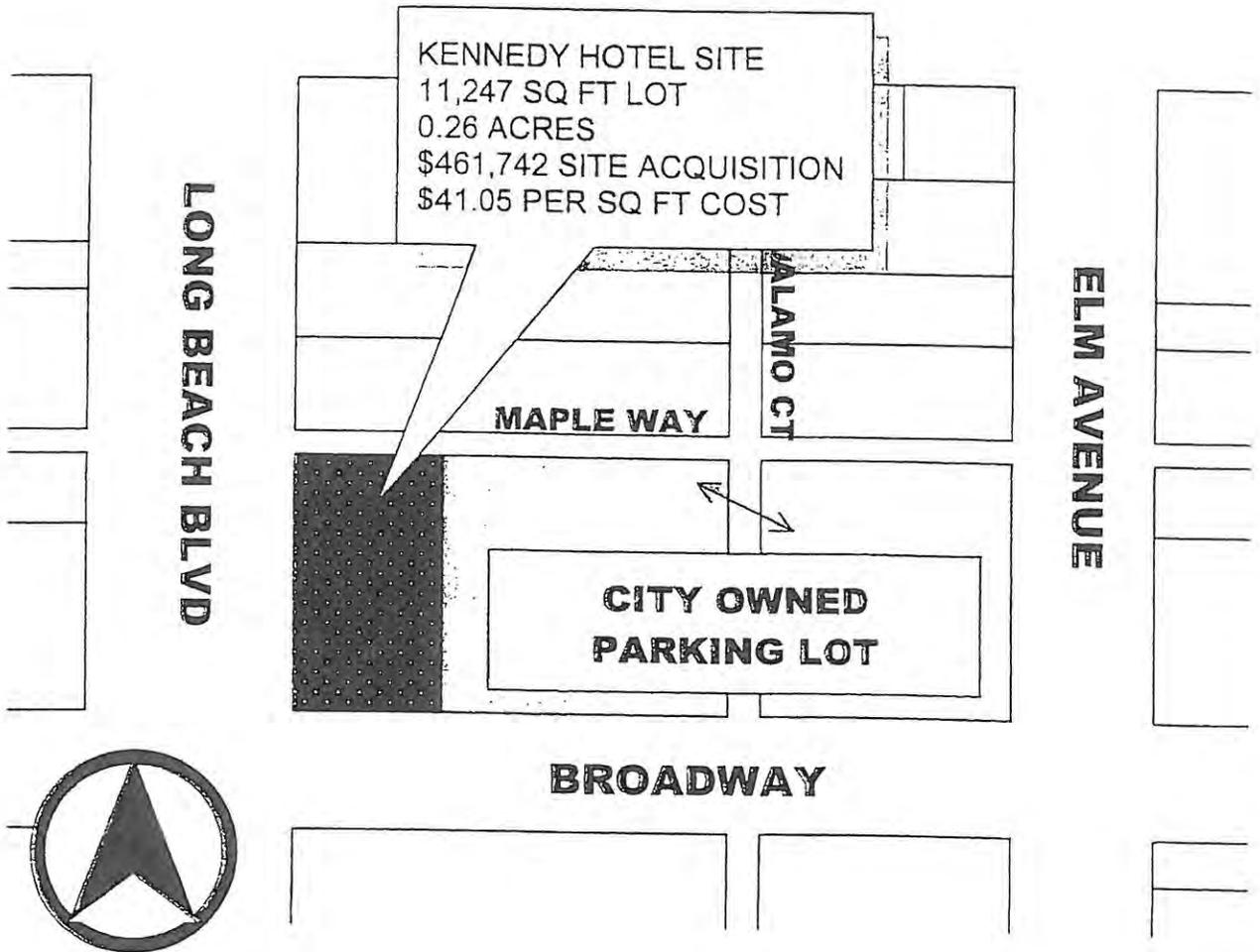
APPROVED:



GERALD R. MILLER  
CITY MANAGER

Attachment: Exhibit A – Site Map

**Exhibit A**  
**CITY OWNED VACANT PROPERTY**  
**KENNEDY HOTEL SITE**  
**200 LONG BEACH BLVD.**  
**DOWNTOWN REDEVELOPMENT PROJECT AREA**





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

July 10, 2006

REDEVELOPMENT AGENCY BOARD MEMBERS  
City of Long Beach  
California

## RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to enter into an All-Inclusive Settlement Agreement and all other related documents for the acquisition of property at 232 Long Beach Boulevard for \$1,600,000 plus closing costs. (Downtown – District 2)

## BACKGROUND

Maureen and Anne Greeson (Sellers) own the property at 232 Long Beach Boulevard, on which their business, Terry's Camera, is located (Exhibit A – Site Map). Mr. Greeson contacted the Redevelopment Agency indicating that he wished to sell the property and relocate the business.

The property consists of a commercial building on a 12,500-square-foot lot. The building has two stories, with 3,932 square feet on the first floor and a 1,120-square-foot mezzanine, for a total building area of 5,052 square feet. In an appraisal dated January 12, 2006, the Agency's appraiser valued the property at \$1,235,000. Mr. Greeson has offered to sell and relocate for an all-inclusive settlement of \$1,600,000.

This all-inclusive settlement would include compensation for relocation costs; fixtures, furniture and equipment; and loss of goodwill. In addition, its acceptance will result in a voluntary sale of a parcel located in an area identified for a future project.

## SUGGESTED ACTION:

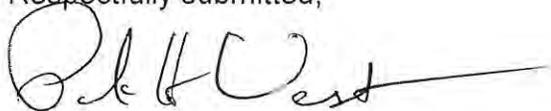
Approve recommendation.

REDEVELOPMENT AGENCY BOARD MEMBERS

July 10, 2006

Page 2

Respectfully submitted,



PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:bec

Attachment: Exhibit A – Site Map

APPROVED:

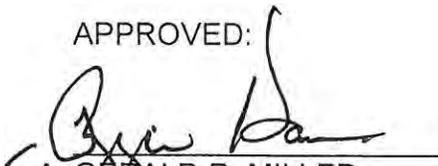
  
For  
GERALD R. MILLER  
CITY MANAGER

EXHIBIT A - SITE MAP

County of Los Angeles: Rick Auerbach, Assessor

OFFICE OF THE ASSESSOR  
COUNTY OF LOS ANGELES  
COPYRIGHT © 2002

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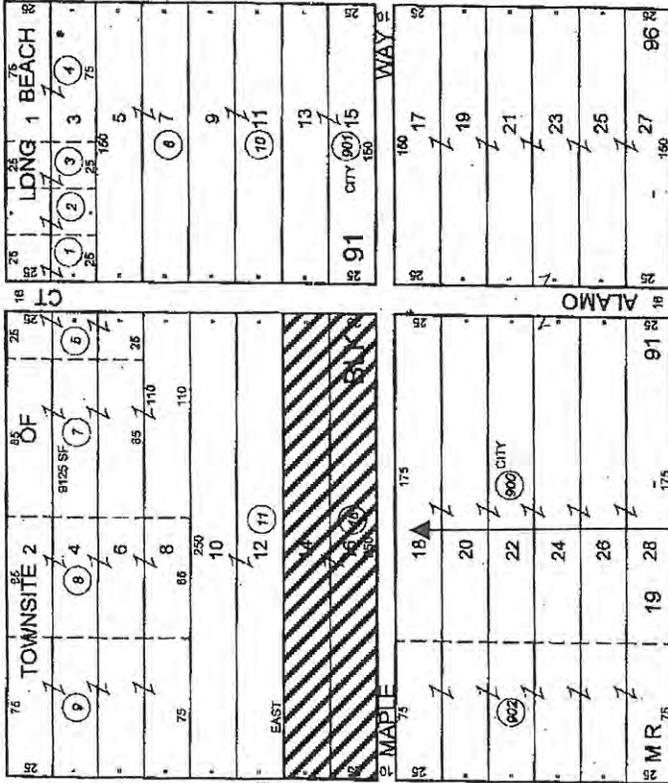
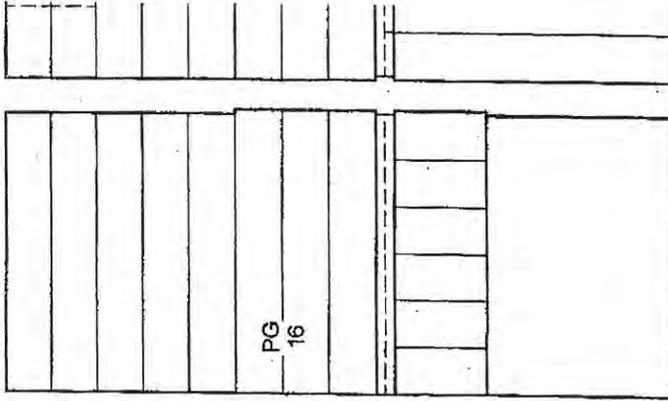
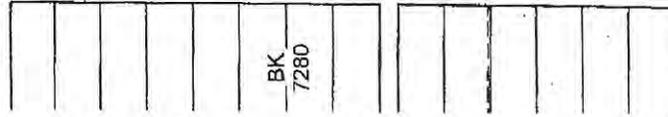
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MAPPING AND GIS  
SERVICES  
SCALE 1" = 50'

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BROADWAY

FM 16309

PG 18

Site

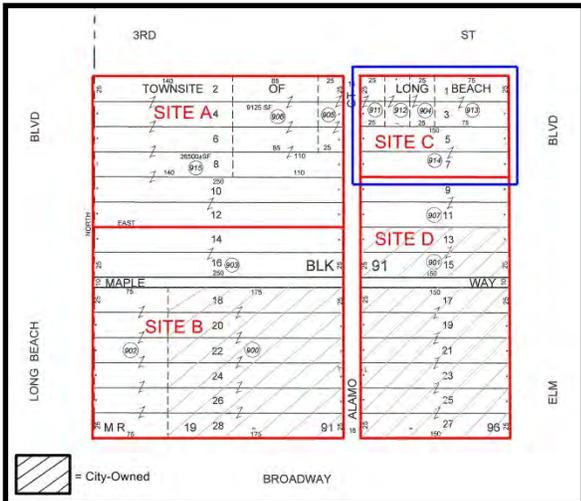
ALL 900 SERIES PARCELS ON THIS PAGE ARE ASSESSED  
TO THE REDEVELOPMENT AGENCY OF THE CITY OF  
LONG BEACH, UNLESS OTHERWISE NOTED

# 107-111). Broadway Block Development – Site C



## Parcel Data:

Property Type:	Commercial
Permissible Use:	Future Development
Property Address:	340-356 E. 3 <sup>rd</sup> St./ 269 Elm Avenue
Assessor ID Number(s):	7281-017-904, -911, -912, -913, & -914
Lot Size (SF):	14,700
Zoning:	LBPD30
Council District:	2
Strategic Plan:	Downtown Guide for Development



These properties were acquired to eliminate blight and blighting influences and to assemble property into a block identified as Broadway Block – Site C. Broadway Block – Site C is integral to the East Village Arts District Guide to Development which is intended to strengthen connectivity between downtown and Alamitos Beach, encourage the development of creative space like 4<sup>th</sup> + Linden and promote and encourage a model of international living through a vision of progressiveness, diversity and culture, where residents would be proud to live, work and play. Broadway Block – Site C is former RDA-owned land which is proposed to be developed within certain parcel configurations and consistent with the vision and intent of the Downtown Plan. The former RDA was in pre-existing and near-final discussions with specific developers for each of the proposed development sites. It is anticipated that these discussions will continue upon the approval of the Plan. If continuing discussion fails to result in development agreements for any of the development sites, those sites would then be developed through a competitive RFP process that would continue to promote development consistent with the Arts District Guide to Development and the Downtown Plan.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**



# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215



December 18, 2006

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to receive the supporting documentation into the record, conduct and conclude the hearing and adopt the Resolutions for acquiring and authorizing the condemnation of real property at 340-346 East 3<sup>rd</sup> Street, APN 7281-017-001 and 7281-017-002; 352-390 East 3<sup>rd</sup>, APN 7281-017-004; and 269 Elm Avenue, APN 7281-017-006 including land, improvements and fixtures and equipment. (Downtown – District 2)

### DISCUSSION

The primary objective of the Redevelopment Plan with respect to the Downtown Project Area is to revitalize the City's downtown by restoring this area to a center for business and commerce. General objectives of the Redevelopment Plan include diversifying land uses in the downtown to make it the principal focus of the City's cultural, employment, retail, service and visitor activities and a meaningful place in which to live and work. Since the Downtown Project Area was adopted, the public and private sector have invested more than \$1 billion. The redevelopment of Downtown has created more than 25,000 permanent jobs and annually attracts millions of shoppers, tourists, and residents.

Conditions in the Downtown Project Area before adoption of the Redevelopment Plan met statutory conditions for blight with findings of high vacancy rates, poor housing accommodations, and older, substandard, and deteriorated commercial structures. Effective redevelopment strategies ensure the thoughtful integration of new commercial and residential development, the protection and encouragement of diversity in both the community and land uses, and the creation of sophistication and vitality through cultural facilities and events.

The Redevelopment Agency continues to implement a comprehensive program designed to make Downtown a more successful and inviting environment to shop, live and work. Implementation of this program occurs in a variety of ways, including the elimination of incompatible land uses and aged and obsolete structures, and the assembly of blighted properties for redevelopment.

One area in which the Redevelopment Agency has invested significant resources in implementing the redevelopment program in Downtown is the City block bounded by Broadway on the South, 3<sup>rd</sup> Street on the North, Long Beach Boulevard on the West and Elm Avenue on the East. This block contains 3.44 acres, of which, the Redevelopment Agency owns 1.91 acres, just over 50% of the block. The Redevelopment Agency is negotiating with the remainder of the property owners and has recently entered into escrow for the property located at 348-350 East 3<sup>rd</sup> Street. The property at 348-350 East 3<sup>rd</sup> Street is surrounded by four parcels under a single ownership. In order for the proper assembly of property suitable for modern, integrated development, the surrounding property must also be assembled. Please see the attached Exhibit A.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act (CEQA), the acquisition of these properties is categorically exempt pursuant to Public Resources Code, Division 13, Section 15301 as the acquisition activities contemplated are not intended to expand the use beyond that which currently exists. Future development on the property will be subject to further review under the California Environmental Quality Act when a definitive development is proposed.

#### RESOLUTIONS OF NECESSITY

The properties under consideration are all owned by Michener Trust and include the following.

The property located at 340-346 East 3<sup>rd</sup> Street contains 2,500 square feet of land and is improved with a one-story commercial building and other miscellaneous site improvements. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$505,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

The property located at 352 and 390 East 3<sup>rd</sup> Street contains 3,750 square feet of land and is improved with a one-story and two-story commercial building and other miscellaneous site improvements. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$945,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

The property located at 269 Elm Avenue contains 7,500 square feet of land and is used as a surface parking lot for 30 vehicles. An appraisal of the subject property was prepared by an independent appraiser, R.P. Laurain & Associates, Inc., on September 5, 2006. The fair market value of the property and improvements was \$475,000. An offer to purchase the property at fair market value pursuant to Government Code section 7267(a), dated October 4, 2006, was submitted to the Trustee of the owner. The Trustee rejected the offer and subsequent negotiations have been unsuccessful. Acquisition of this property will not be possible without the Agency's use of its power of eminent domain.

A notice of the hearing on the Resolutions of Necessity was mailed on December 1, 2006 by certified mail, return receipt requested, and by First Class Mail to the Trustee of the owner of record. Said Trustee was notified that if the Trustee wished to appear at the hearing and be heard, the Trustee must file a written request to appear with the City Clerk within fifteen (15) days from the date the notice was mailed. The Resolutions of Necessity are attached.

Code of Civil Procedure Section 1245.230 requires the Resolutions of Necessity be adopted after a hearing at which time the governing body of the public entity must find and determine each of the following:

1. Whether the public interest and necessity require the proposed project;
2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the proposed project; and
4. Whether the offer required by Government Code section 7267.2(a) has been made to the property owner or owners of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

Recommended findings of the Redevelopment Agency Board as they relate to the acquisition of properties located at 340-346 East 3<sup>rd</sup> Street, APN 7281-017-001 and 7281-017-002; 352-390 East 3<sup>rd</sup>, APN 7281-017-004; and 269 Elm Avenue, APN 7281-017-006, including land, improvements and fixtures and equipment, are as follows:

1. Public interest and necessity require the proposed project.

The Redevelopment Plan for the Downtown Long Beach Redevelopment Project Area was first adopted on June 17, 1975. The goals of the Redevelopment Plan include the elimination of incompatible land uses and aged and obsolete structures, and the assembly of blighted properties for redevelopment. Intervening and surrounding properties have either been acquired or are in escrow. The assembly of this land will create contiguous land sufficient for integrated and compatible redevelopment.

2. The proposed project is planned and located in such a way as to do the greatest public good and the least private injury.

The fundamental purpose of the Redevelopment Plan is to improve the quality of life for residents and business enterprises within the Downtown Project Area. Additionally, persons who are owners of real property in the Downtown Project Area have been given a reasonable opportunity to participate in the redevelopment of the Downtown Project Area consistent with the objectives of the Redevelopment Plan. The acquisition of these properties from a single owner will result in the assembly of land sufficient for integrated and compatible development, resulting in the greatest public good with the least private injury.

3. The property sought to be acquired is necessary for the proposed project.

The subject property is integral to the assembly of land necessary for integrated and compatible development. Intervening and surrounding properties have either been acquired or are in escrow. This action will further the goals and objectives of the Redevelopment Plan for the Downtown Long Beach Redevelopment Project.

4. The offer of just compensation has been made to the property owners.

The subject properties were appraised by an independent appraiser, R.P. Laurain & Associates, Inc., September 5, 2006. Offers at fair market value were submitted to the Trustee of the owner. The offers were rejected. Due to the refusal of the Trustee to accept the Agency's offer of just compensation based on the fair market value, the properties cannot be acquired except by the Agency's exercise of its power of eminent domain.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:CB:MBC

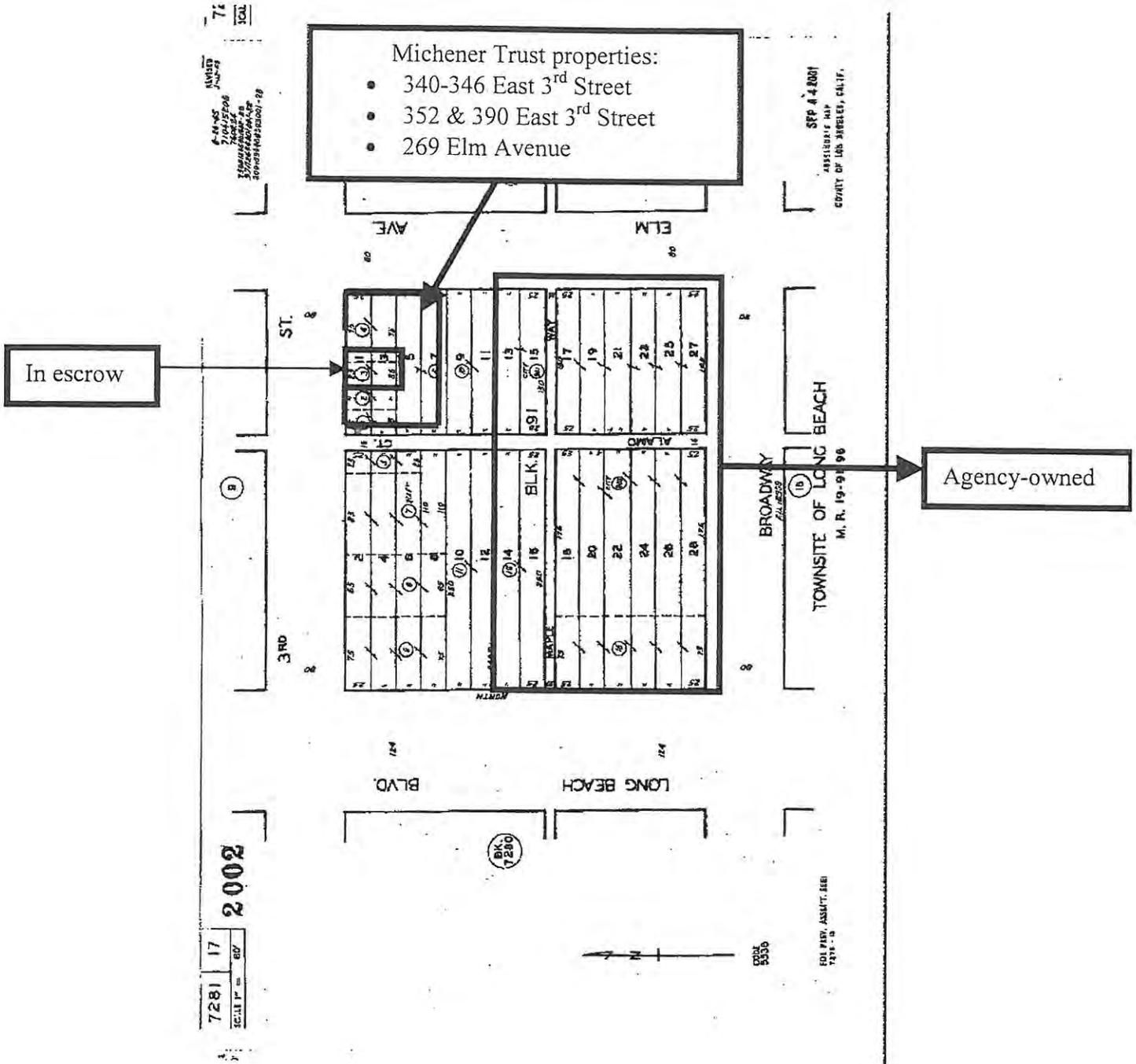
APPROVED:



GERALD R. MILLER  
CITY MANAGER

Attachments: Exhibit A – Site Map  
Resolutions

# Exhibit A



Michener Trust properties:

- 340-346 East 3<sup>rd</sup> Street
- 352 & 390 East 3<sup>rd</sup> Street
- 269 Elm Avenue

In escrow

Agency-owned

4-11-02  
7/04/2006  
7/04/2006  
3/17/2006  
3/17/2006  
3/17/2006

SPF 4-4-001  
ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.

FDL PERM. ASSESS. REG.  
1218 - 10

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT  
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,  
FINDING AND DETERMINING THE PUBLIC INTEREST  
AND NECESSITY FOR ACQUIRING AND AUTHORIZING  
THE CONDEMNATION OF CERTAIN REAL PROPERTY  
(340-346 EAST 3<sup>rd</sup> STREET) WITHIN THE DOWNTOWN  
LONG BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach,  
California ("Agency"), pursuant to the provisions of the Community Redevelopment Law  
of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in  
redevelopment activities necessary for the execution of the Redevelopment Plan  
("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area  
("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for  
the Redevelopment Project by acquiring and assembling certain parcels of real  
property, including the real property located at 340-346 East 3<sup>rd</sup> Street, Long Beach,  
California more particularly described as:

Parcel 1:

THE WEST 25 FEET OF LOTS 1 AND 3 IN BLOCK  
91 IN THE TOWN SITE OF LONG BEACH, COUNTY  
OF LOS ANGELES, STATE OF CALIFORNIA, AS

PER MAP RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Parcel 2:

THE EAST 25 FEET OF THE WEST 50 FEET OF LOTS 1 AND 3 IN BLOCK 91 IN THE TOWN SITE OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN, UNDER AND/OR THAT MAY BE PRODUCED FROM A DEPTH BELOW 500 FEET FROM THE SURFACE OF SAID PROPERTY. PROVIDED THAT SUCH RESERVATION SHALL NOT ENTITLE THE GRANTORS, OR HEIRS OR ASSIGNS, TO ANY USE OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE OF SAID PROPERTY TO A DEPTH OF 500 FEET BELOW THE SURFACE THEREOF, AND THAT THE RIGHT OF ENTRY IS HEREBY WAIVED, AS RESERVED BY EDITH JONES, A WIDOW, AND CHARLES K. JONES AND MAXINE JONES, HUSBAND AND WIFE, RECORDED JUNE 4, 1959 AS INSTRUMENT NO. 39, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property"); and

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of

////

Long Beach, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Executive Director/Secretary

APPROVED:

\_\_\_\_\_  
Chair

HAM:fl  
11/30/06  
L:\APPS\CtyLaw32\WPDOCS\D030\P005\00097410.WPD  
#06-06275

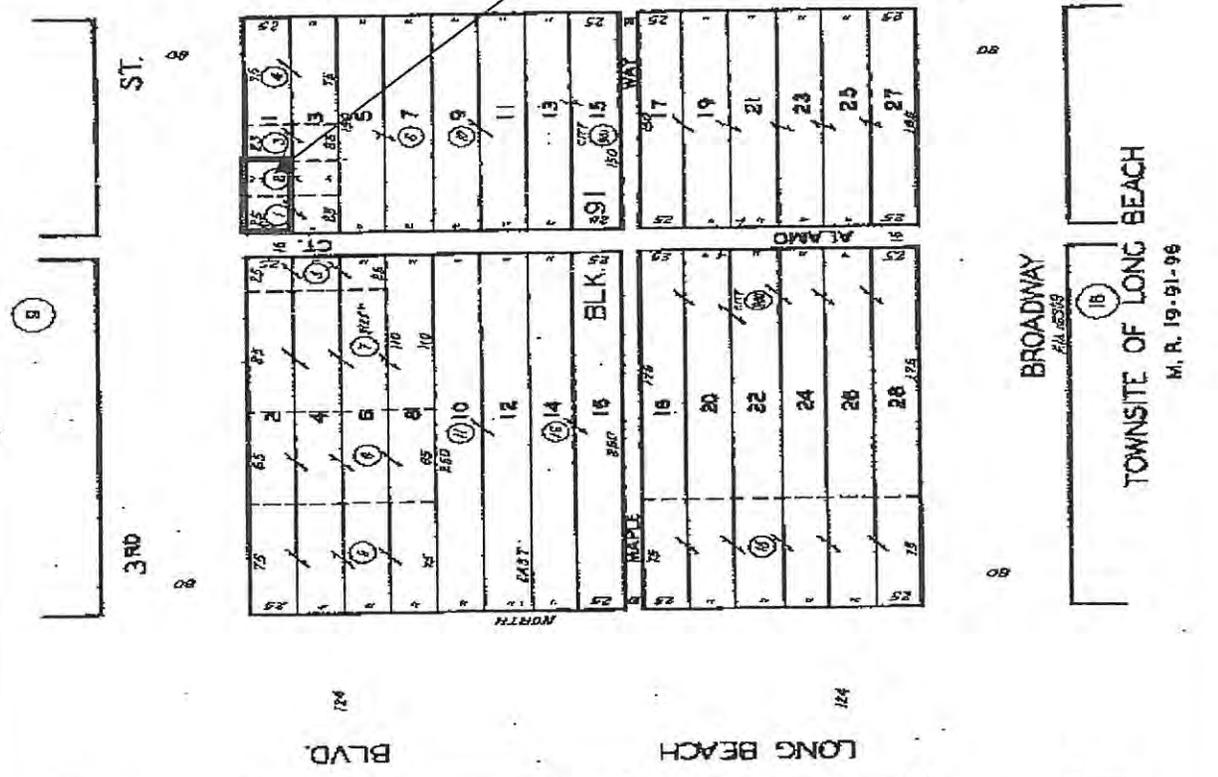
Exhibit A

340-346 E Third St

72  
VOL

REVISED  
7/24/06  
7/24/06  
7/24/06  
5/27/05  
4/20/05  
4/20/05

SEP 4 2001  
APPROVED MAP  
COUNTY OF LOS ANGELES, CALIF.



2002

7281 17  
SCALE 1" = 60'

CODE  
9335

FOR FURTHER ASSAULT, SEE  
1216 - 18

BROADWAY  
241-6335

TOWNSITE OF LONG BEACH

M. R. 19-91-96

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT  
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,  
FINDING AND DETERMINING THE PUBLIC INTEREST  
AND NECESSITY FOR ACQUIRING AND AUTHORIZING  
THE CONDEMNATION OF CERTAIN REAL PROPERTY  
(352 -390 EAST 3<sup>rd</sup> STREET) WITHIN THE DOWNTOWN  
LONG BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring and assembling certain parcels of real property, including the real property located at 352-390 East 3<sup>rd</sup> Street, Long Beach, California more particularly described as:

THE EAST 75 FEET OF LOTS 1 AND 3 IN BLOCK 91 IN  
THE TOWN SITE OF LONG BEACH, COUNTY OF LOS  
ANGELES, STATE OF CALIFORNIA, AS PER MAP  
RECORDED IN BOOK 19 PAGE 91 ET SEQ., OF  
MISCELLANEOUS RECORDS, IN THE OFFICE OF THE

OFFICE OF THE COUNTY RECORDER OF SAID  
COUNTY.

EXCEPTING UNTIL MAY 31, 1975, ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN, UNDER OR THAT MAY BE PRODUCED AND SAVED FROM THOSE PORTIONS OF THE HEREINABOVE DESCRIBED LANDS LOCATED 500 FEET OR MORE, BELOW THE SURFACE THEREOF, TOGETHER WITH ALL RIGHTS OF EVERY KIND AND DESCRIPTION WHATSOEVER TO DRILL FOR OR THROUGH, DEVELOP, TAKE, REMOVE AND SEVER THE SAME, OR ANY PART THEREOF, FROM SAID LANDS, PROVIDED THAT GRANTOR SHALL NOT HAVE THE RIGHT TO USE THE SURFACE OF SAID LANDS, OR ANY PORTION THEREOF LESS THAN 500 FEET BELOW THE SURFACE IN CONNECTION WITH THE DEVELOPMENT OR REMOVAL OF SAID OIL, GAS AND OTHER HYDROCARBON SUBSTANCES. SUBSEQUENT TO JUNE 1, 1975 ALL INTEREST OF GRANTOR IN AND TO THAT CERTAIN OIL AND GAS LEASE RECORDED OCTOBER 19, 1955 IN BOOK 49271 PAGE 420, OFFICIAL RECORDS, SHALL INSURE TO THE THEN RECORD OWNERS OF SAID PROPERTY, AS RESERVED BY PHYLLIS B. SANDISON, A WIDOW BY DEED RECORDED JUNE 1, 1970 AS INSTRUMENT NO. 20, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property); and

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear

and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record,

which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Executive Director/Secretary

APPROVED:

\_\_\_\_\_  
Chair

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12/1/06  
L:\APPS\CtyLaw32\WPDOCS\ID001\P005\00097418.WPD; #06-06276



RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT  
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,  
FINDING AND DETERMINING THE PUBLIC INTEREST  
AND NECESSITY FOR ACQUIRING AND AUTHORIZING  
THE CONDEMNATION OF CERTAIN REAL PROPERTY  
(269 ELM AVENUE) WITHIN THE DOWNTOWN LONG  
BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach,  
California ("Agency"), pursuant to the provisions of the Community Redevelopment Law  
of the State of California, Health and Safety Code Section 33000, *et seq.*, is engaged in  
redevelopment activities necessary for the execution of the Redevelopment Plan  
("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area  
("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for  
the Redevelopment Project by acquiring and assembling certain parcels of real  
property, including the real property located at 269 Elm Avenue, Long Beach, California  
more particularly described as:

LOTS 5 AND 7 IN BLOCK 91 IN THE TOWN SITE OF  
LONG BEACH, COUNTY OF LOS ANGELES, STATE OF  
CALIFORNIA, AS PER MAP RECORDED IN BOOK 19  
PAGE 91 OF MISCELLANEOUS RECORDS, IN THE  
OFFICE OF THE COUNTY RECORDER OF SAID

COUNTY.

EXCEPT ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND BELOW A DEPTH OF 200 FEET FROM THE SURFACE THEREOF, BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY FERN MOSS, A WIDOW, HAROLD G. HOPKINS AND THELMA J. HOPKINS ALSO KNOWN AS JOAN HOPKINS, HUSBAND AND WIFE AND BETTY S. DAVIS, A WIDOW, IN DEED RECORDED JULY 22, 1971 AS INSTRUMENT NO. 538, OF OFFICIAL RECORDS OF LOS ANGELES.

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property);

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235;

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, resolves as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Sec. 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Sec. 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Sec. 4. The Subject Property is necessary for the proposed project.

Sec. 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Sec. 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Sec. 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property, including the improvements thereon. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Executive Director/Secretary

APPROVED:

\_\_\_\_\_  
Chair

HAM:fl  
12/1/06  
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#06-06274

Exhibit A

269 Elm Ave

71  
ICAL

REVISED  
6-14-95  
7/10/1/95/06  
7608 24  
YEMH/AS/002-18  
5772614/0014-18  
R00103140203001-02

SEP 4 4 2001  
ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.

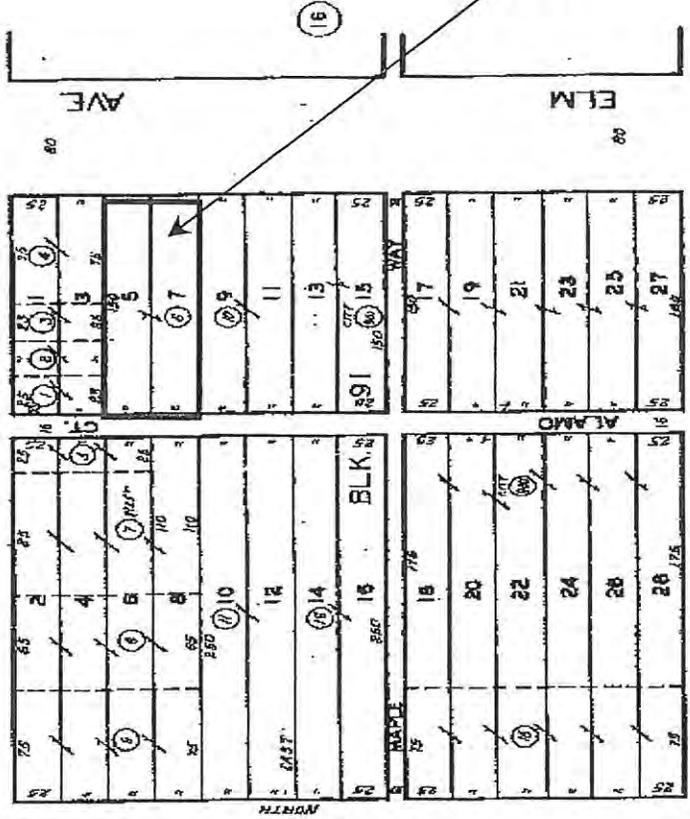
ST.

3RD

9

2002

7281 17  
SCALE 1" = 60'



BROADWAY  
PALMDALE

TOWNSITE OF LONG BEACH

M. R. 19-91-96

CODE  
5536

FOR PART. ASSESS'T. SEE  
1376 - 13

BK.  
7280



# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

November 6, 2006

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 348-350 East Third Street for \$520,000 plus closing costs. (Downtown - District 2)

### DISCUSSION

Darrow Fiedler (Seller) owns the property at 348-350 East Third Street in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The property consists of a 2,152-square-foot, two-story building with first floor commercial space and second floor residential space (1,065 and 1,087 square feet, respectively) on a 1,250-square-foot lot.

In an appraisal dated September 11, 2006, the Agency's appraiser valued the property at \$475,000. The Redevelopment Agency offered to purchase the property and the Seller has agreed to sell the property for \$520,000 (\$242 per square foot), which is 9.5 percent above the appraised value. All occupants are tenants who rent on a month-to-month basis. Eligible tenants will be relocated according to state relocation law.

This property is part of the Broadway Block development. Acquisition of the property is required to assemble the site for development.

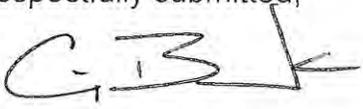
### SUGGESTED ACTION:

Approve recommendation.

November 6, 2006

Page 2

Respectfully submitted,

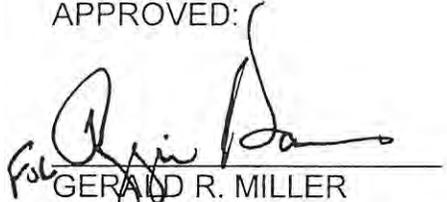


*PHW* PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:CAB:BEC:RSW:rsw

Attachment: Exhibit A – Site Map

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

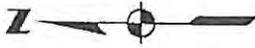
# EXHIBIT A

County of Los Angeles: Rick Auerbach, Assessor

SITE

7281	17 SHEET	P.A. 7276-13	TRA 5536	2006	PG 8	SEARCH NO	OFFICE OF THE ASSESSOR COUNTY OF LOS ANGELES COPYRIGHT © 2002
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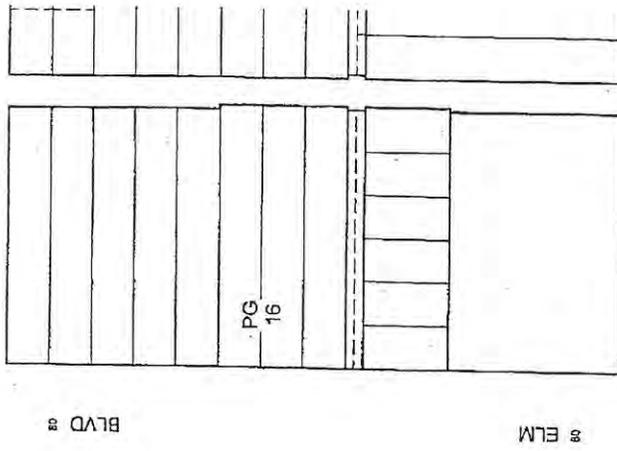
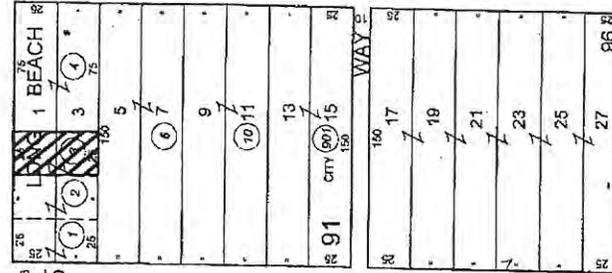
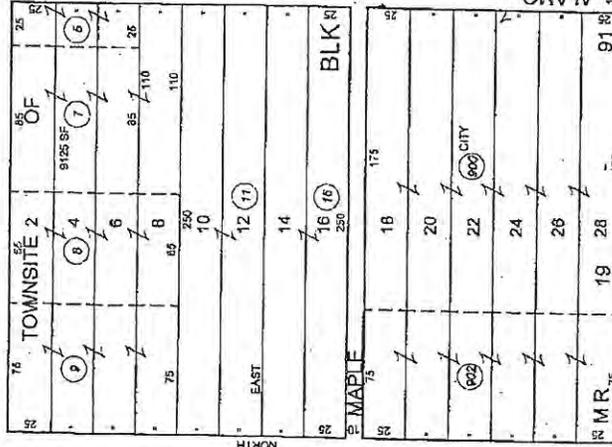
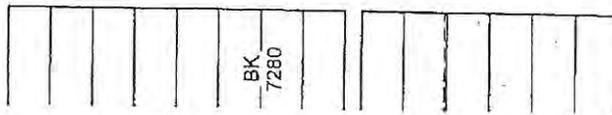
REVISED  
2004/08/07 002001-28  
2025/01/10



MAPPING AND GIS SERVICES  
SCALE 1" = 50'

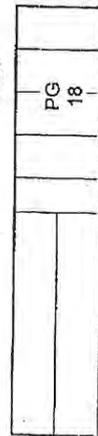
E 3RD

ST 8



BROADWAY

FM 16309



ALL 900 SERIES PARCELS ON THIS PAGE WERE ASSESSED TO THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH, UNLESS OTHERWISE NOTED

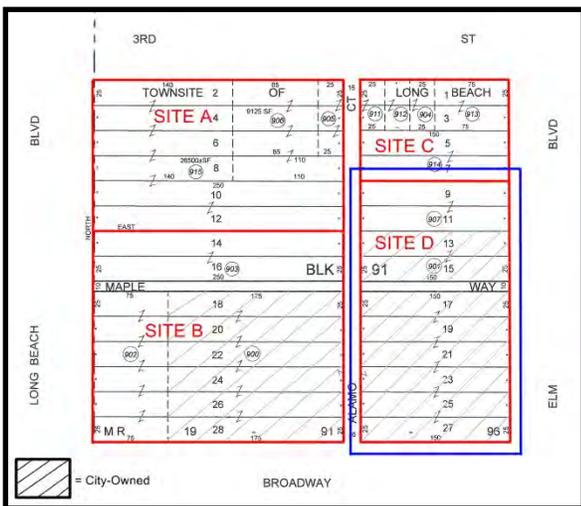
# 112). Broadway Block Development – Site D



## Parcel Data:

Property Type:	Parking Lot
Permissible Use:	Future Development
Property Address:	239 Elm Avenue
Assessor ID Number(s):	7281-017-907
Lot Size (SF):	7,500
Zoning:	LBPD30
Council District:	2
Strategic Plan:	Downtown Guide for Development

These properties were acquired to eliminate blight and blighting influences and to assemble together with existing City-owned property into a block identified as Broadway Block – Site D. Broadway Block – Site D is integral to the East Village Arts District Guide to Development which is intended to strengthen connectivity between downtown and Alamitos Beach, encourage the development of creative space like 4<sup>th</sup> + Linden and promote and encourage a model of international living through a vision of progressiveness, diversity and culture, where residents would be proud to live, work and play. Broadway Block – Site D is a combination of former RDA and City-owned land which is proposed to be developed within certain parcel configurations and consistent with the vision and intent of the Downtown Plan. The former RDA was in pre-existing and near-final discussions with specific developers for each of the proposed development sites. It is anticipated that these discussions will continue upon the approval of the Plan. If continuing discussion fails to result in development agreements for any of the development sites, those sites would then be developed through a competitive RFP process and in accordance with California Government Code that would continue to promote development consistent with the Arts District Guide to Development and the Downtown Plan.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





# LONG BEACH REDEVELOPMENT AGENCY

333 WEST OCEAN BOULEVARD, THIRD FLOOR • LONG BEACH, CA 90802 • (562) 570-6615 • FAX (562) 570-6215

April 16, 2007

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Recommendation to approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 239 Elm Avenue for \$708,750 plus closing costs. (Downtown - District 2)

### DISCUSSION

Ramon and Norma Lugan, and Aaron and Vanessa Lugan (Sellers) own the property at 239 Elm Avenue in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The property is 7,500 square feet and is vacant.

In an appraisal dated January 3, 2007, the Redevelopment Agency's (Agency) appraiser valued the property at \$675,000. The Agency offered to purchase the property and the Seller has agreed to sell the property for \$708,750 (\$95 per square foot), which is 5 percent above the appraised value.

This property is part of the Broadway Block development. Acquisition of the property is consistent with the Agency's goal to assemble the entire site and develop with residential units, commercial space and a public art center.

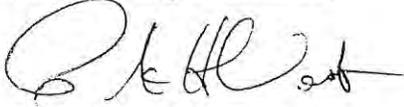
### SUGGESTED ACTION:

Approve recommendation.

April 16, 2007

Page 2

Respectfully submitted,

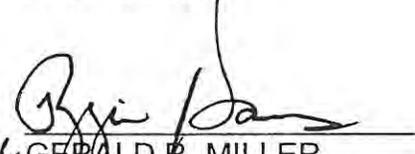


PATRICK H. WEST  
EXECUTIVE DIRECTOR

PHW:CAB:BEC

Attachment: Exhibit A – Site Map

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

7281 17 SHEET

P.A. 7276-13

TSA 5536

REVISED 2004/03/09/003001-28 2/25/02/02

SEARCH NO

OFFICE OF THE ASSESSOR COUNTY OF LOS ANGELES COPYRIGHT © 2002

County of Los Angeles, Rick Auerbach, Assessor

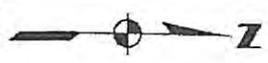
2006

PG 9

PG 16

8 3RD

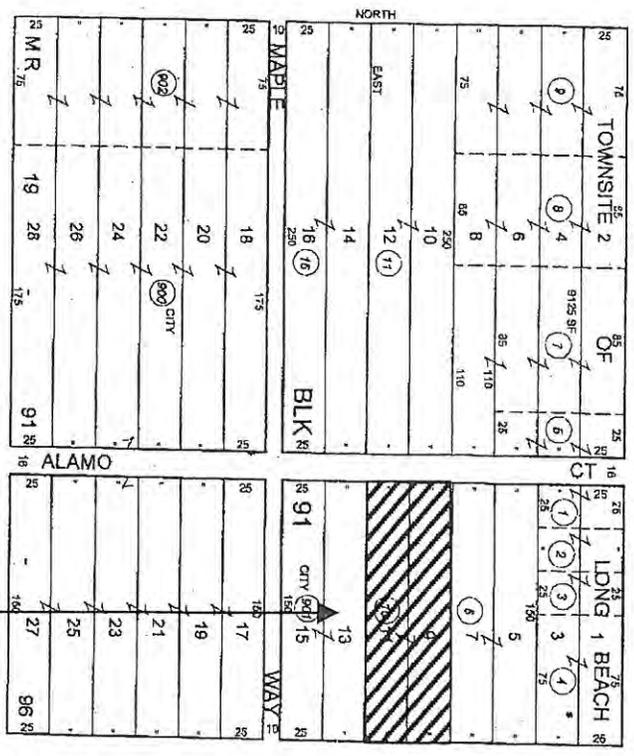
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MAPPING AND GIS SERVICES SCALE 1" = 100'

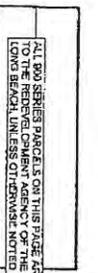
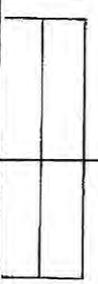
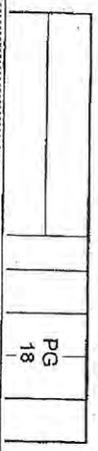
BK 7280

124 LONG BEACH BLVD



BROADWAY

88 ELM BLVD



SITE

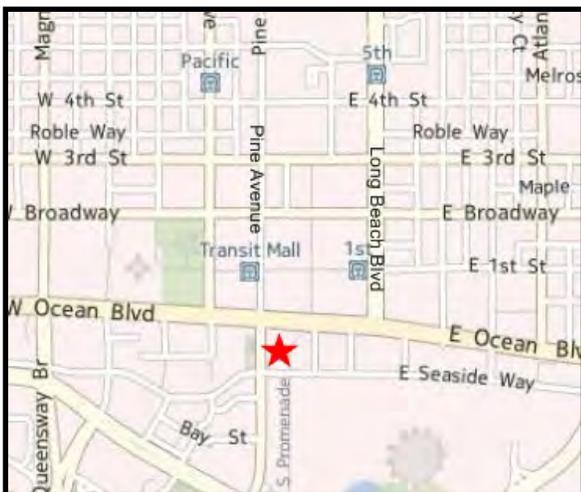
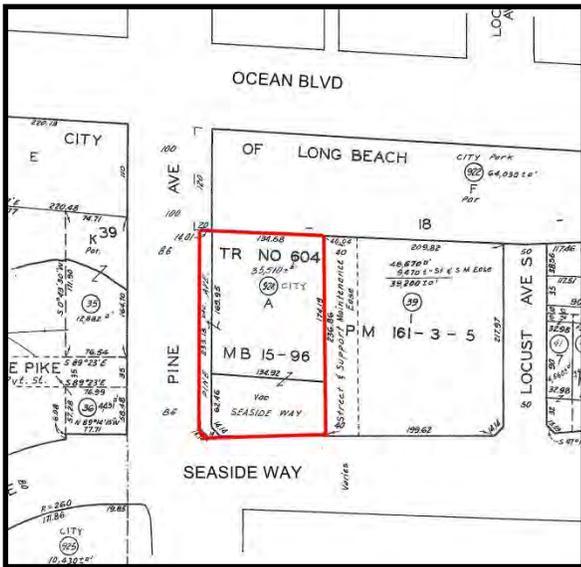
EXHIBIT A

# 113). 100 E. Ocean Blvd. Development



**Parcel Data:**

Property Type:	Parking Lot
Permissible Use:	Future Development
Property Address:	100 E. Ocean Blvd.
Assessor ID Number(s):	7278-007-928
Lot Size (SF):	35,510
Zoning:	LBPD6
Council District:	2
Strategic Plan:	Downtown Guide for Development



This property has been undeveloped and underutilized for over 20 years and continues to be a visual impediment to the connectivity between the Downtown, the Convention and Entertainment Center, the Pike at Rainbow Harbor and Shoreline Village. The acquisition through eminent domain in 2010 was specifically intended to control the redevelopment of the site in order to facilitate high density residential development. The economic recession served to sideline efforts until residential demand increased. With the economic recovery in place, the site will be competitively bid through an RFP process that is intended to ensure high density development to maximize overall economic benefit to downtown, and in accordance with the use of eminent domain.

**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





# Building A Better Long Beach

November 15, 2010

## REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach  
California

### RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, certify Negative Declaration No. ND 07-10, and adopt a resolution to determine the public interest and necessity for acquiring and authorizing the condemnation of real property located at 100 East Ocean Boulevard, Assessor Parcel Number 7278-007-048; including land, improvements, and fixtures and equipment. (Downtown – District 2)

### DISCUSSION

The Redevelopment Plan (Plan) for the Downtown Long Beach Redevelopment Project Area (Project Area) was adopted by the Redevelopment Agency (Agency) on June 17, 1975. The primary objective of the Plan is to revitalize the City's downtown by restoring the area to a vibrant center for business and commerce. Other objectives of the Plan include diversifying land uses in the Downtown to encourage cultural, employment, retail, services and visitor activities, and to foster Downtown as an ideal place to live and work.

The Project Area and Plan were adopted under statutory requirements for blight, including findings of high vacancy rates, poor housing accommodations, older substandard and deteriorated commercial structures and stagnant economic conditions. The Agency's intent is to eliminate these conditions by stimulating economic growth and assisting new commercial and visitor-related development within the Project Area. Implementation occurs in a variety of ways, including the elimination of incompatible land uses, aged and obsolete structures, and the assembly of properties for redevelopment.

The proposed redevelopment actions contemplated under the Plan include the acquisition of real property comprising a total of approximately 61,000 square feet of lot area located at 100 East Ocean Boulevard near the southeast corner of Ocean Boulevard and Pine Avenue adjacent to Victory Park (Exhibit A – Site Map) (Subject Property). Existing site improvements consist of a 66-space parking lot leased to Diamond Parking Services (Exhibit B – Site Photos). The Subject Property has been predominantly undeveloped and significantly underutilized for over 20 years, and is a visual and physical impediment between the Long Beach Convention and Entertainment Center, Pike at Rainbow Harbor and Shoreline Village, and their connectivity to the downtown entertainment district in and around upper Pine Avenue. Acquisition of the Subject Property by the Agency would allow improvement of the physical appearance of the Subject Property in the short term while encouraging long-term redevelopment of the site, as well as improved access to Victory Park. Physical enhancements may include new signage, fencing and landscaping to improve the aesthetic conditions of the Subject Property.

## REDEVELOPMENT AGENCY BOARD MEMBERS

November 15, 2010

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### California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared to identify the significant impacts created by acquisition of the Subject Property. The future development on the Subject Property will be subject to further review as appropriate under CEQA (Exhibit C – Negative Declaration).

The Agency can then find the following:

- Pursuant to CEQA Guidelines, an Initial Study has been conducted to determine project impacts. On the basis of that study, it has been determined that the project will not have a significant adverse effect on the environment and does not require the preparation of an Environmental Impact Report. Based on this finding, a Negative Declaration has been prepared.
- Pursuant to CEQA Guidelines, the Notice of Preparation and the draft Negative Declaration were released for circulation on September 23, 2010. The circulation period for comments began on September 23, 2010, and ended October 22, 2010. To date, comments have been received from the Department of Toxic Substances Control (Exhibit D).
- Pursuant to CEQA Guidelines, Agency staff and the Agency have independently analyzed the Initial Study and the Negative Declaration. The Negative Declaration represents the independent judgment and analysis of the Agency as lead agency with respect to the project.
- Based upon the Negative Declaration, public comments, and the record before the Agency Board, the Agency finds that the proposed project will not have a significant effect on the environment.

### Resolution of Necessity

Donahue Hawran and Malm, LLC, an independent appraiser, performed an appraisal of the Subject Property on May 11, 2010. The fair market value was determined to be \$6,040,160. On June 1, 2010, an offer to purchase the real property at fair market value, pursuant to Government Code Section 7267.2(a), was submitted to the property owners. The initial offer was rejected by the owners and negotiations have continued without success. The acquisition of the Subject Property will not be possible without the use of the Agency's power of eminent domain.

A Notice of Hearing on the Resolution of Necessity was mailed on October 28, 2010 by certified mail, return receipt requested, and by first class mail to the owners of record of the Subject Property as shown on the latest equalized tax rolls. Said owners were notified that if they wished to appear at the hearing and be heard, they must file a written request to appear with the City Clerk within fifteen (15) days from the date the notice was mailed. The proposed Resolution of Necessity is attached.

## REDEVELOPMENT AGENCY BOARD MEMBERS

November 15, 2010

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The Code of Civil Procedure, Section 1245.230, requires that the Resolution of Necessity be adopted after a hearing at which time the governing body of the public entity must find and determine each of the following:

1. Whether the public interest and necessity require the proposed project;
2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the proposed project; and
4. Whether the offer required by Government Code Section 7267.2(a) has been made to the property owner or owners of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

Recommended findings of the Agency as they relate to the condemnation of real property located at 100 East Ocean Boulevard, Assessor Parcel Number 7278-007-048, including land, improvements, and fixtures and equipment, are as follows:

1. Public interest and necessity require the proposed project.

The Redevelopment Plan (Plan) for the Downtown Long Beach Redevelopment Project Area was adopted on June 17, 1975. The objective of the Plan is to revitalize the City's downtown by restoring the area to a vibrant center for business and commerce. Implementation of the Plan's program to eliminate blighting influences include the elimination of incompatible land uses, aged and obsolete structures, and the assembly of properties for redevelopment through the acquisition of real property. The Subject Property is a visual and physical impediment between the Long Beach Convention and Entertainment Center, Pike at Rainbow Harbor and Shoreline Village and their connectivity to the downtown entertainment district in and around upper Pine Avenue. The proposed project involves the acquisition of the Subject Property allowing the Agency to improve the physical appearance of the Subject Property in the short term while encouraging long-term redevelopment of the site, as well as to improved access to Victory Park. Physical enhancements may include new signage, fencing and landscaping to improve the aesthetic conditions of the Subject Property. Acquisition of the Subject Property is consistent with the Plan's objective and necessary for the short- and long-term redevelopment of the Subject Property.

2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

The objective of the Plan with respect to the Project Area is to revitalize the City's downtown by restoring the area to a vibrant center for business and commerce. Implementation of the Plan's program to eliminate blighting influences include the elimination of incompatible land uses, aged and obsolete structures, and the assembly of properties for redevelopment through the acquisition of real property. Acquisition of the Subject Property to improve the physical appearance of the Subject Property in the

REDEVELOPMENT AGENCY BOARD MEMBERS

November 15, 2010

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short term while encouraging long-term redevelopment of the site would further the goals and objectives of the Plan, resulting in the greatest public good with the least private injury.

3. The property sought to be acquired is necessary for the proposed project.

The acquisition of the Subject Property allowing the Agency to improve the physical appearance of the Subject Property in the short term while encouraging long-term redevelopment of the site is in the public interest and consistent with the Plan. This action is necessary to further the goals and objectives of the Plan for the Project Area by the elimination of incompatible land uses, aged and obsolete structures, and the assembly of properties for redevelopment.

4. The offer of just compensation has been made to the business owners.

Donahue Hawran and Malm, LLC, an independent appraiser, performed an appraisal of the Subject Property on May 11, 2010. An offer at fair market value was presented to the owners of record. The offer was rejected. Due to the refusal of the owners to accept the Agency's offer of just compensation based on the fair market value, the Subject Property cannot be acquired except by the Agency's exercise of its power of eminent domain.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



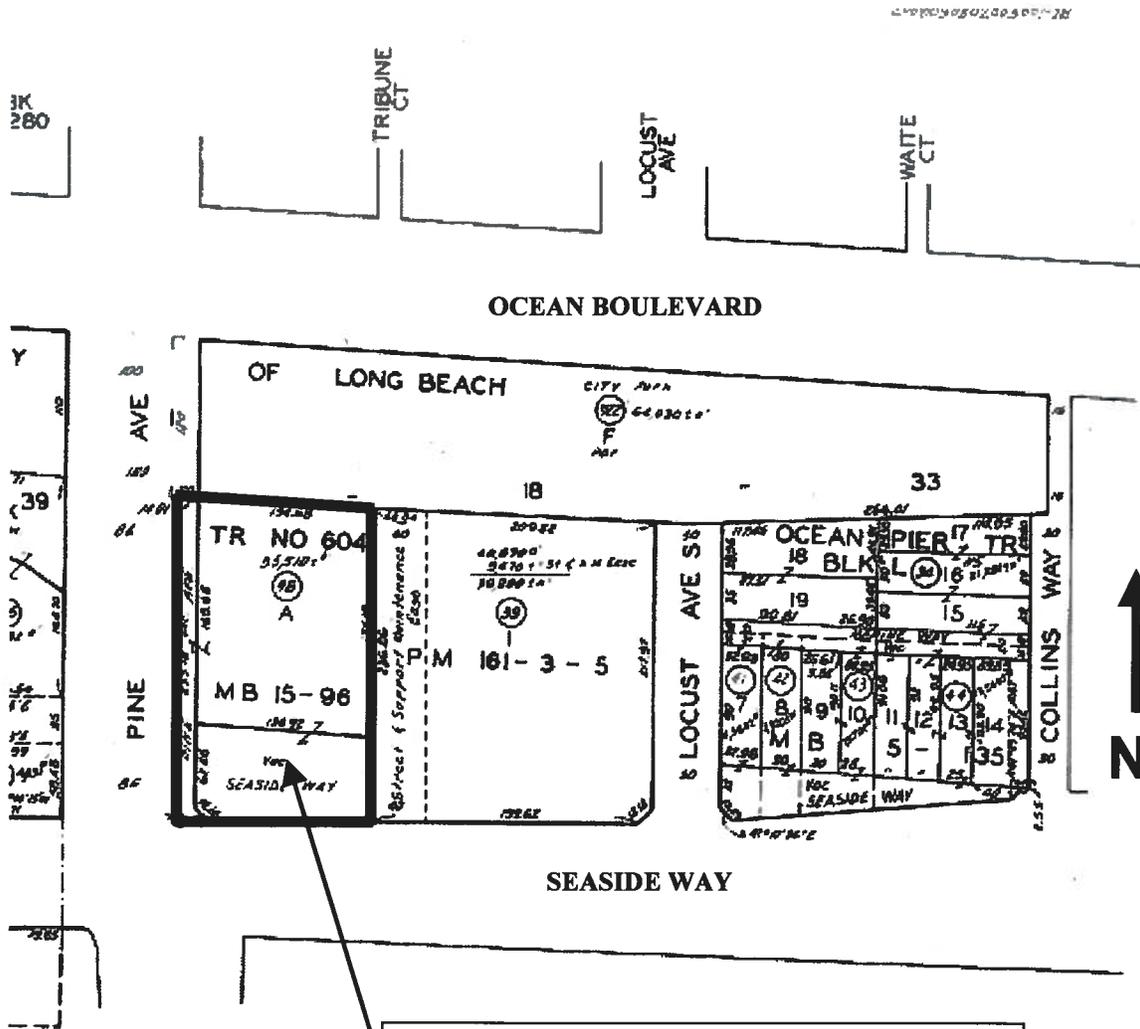
AMY J. BODEK  
EXECUTIVE DIRECTOR

AJB:LAF:CM:mft

Attachments: Exhibit A – Site Map  
Exhibit B – Site Photos  
Exhibit C – Negative Declaration  
Exhibit D – Comment to Negative Declaration from Department of Toxic  
Substances Control  
Redevelopment Agency Resolution

# EXHIBIT "A"

## SITE MAP



**Address: 100 East Ocean Boulevard**  
**Owner: 100 East Ocean Holdings LLC**  
**Assessor Parcel Number: 7278-007-048**

PC  
10

**EXHIBIT "B"**  
**SUBJECT PHOTOS**



Subject as seen from Pine Avenue looking southerly (Convention Center in background)



Subject's east property line, retaining wall for Salvation Army Office Building

**EXHIBIT "B"**  
**SUBJECT PHOTOS**



**West portion of Subject Property as seen from Seaside Way looking north toward Ocean Boulevard, grade change from Pine Avenue to Seaside Way evident in photo**



**East portion of Subject as seen from Seaside Way looking north toward Ocean Boulevard**

**EXHIBIT "B"**  
**SUBJECT PHOTOS**



Photo of southwest portion of Subject, on-site parking meter in background



Southerly portion of subject, Convention Center in background

**EXHIBIT "C"**



**100 E. Ocean Boulevard  
Acquisition Project**

**NEGATIVE DECLARATION  
ND 07-10**

*Prepared by:*

**City of Long Beach**  
Department of Development Services  
Planning Bureau

## INITIAL STUDY

**Project Title:**

100 E. Ocean Boulevard Acquisition Project

**Lead agency name and address:**

Long Beach Redevelopment Agency  
333 W. Ocean Boulevard, 3<sup>rd</sup> Floor  
Long Beach, CA 90802

**Contact person and phone number:**

Craig Chalfant  
(562) 570-6368

**Project location:**

100 E. Ocean Boulevard

**Project Sponsor's name and contact information:**

City of Long Beach, Department of Development Services  
c/o Lisa Fall  
333 W. Ocean Boulevard, 3<sup>rd</sup> Floor  
Long Beach, CA 90802  
(562) 570-6480

**General Plan:**

Land Use Designation No. 7 Mixed Use

**Zoning:**

PD-6 Downtown Shoreline Planned Development District

**Project Description:**

The proposed project involves acquisition of a privately owned property located at 100 E. Ocean Boulevard (Assessor Parcel No. 7278-007-048) by the Long Beach Redevelopment Agency (Redevelopment Agency) for the purpose of land assembly for future development. Acquisition of the subject property would allow the Redevelopment Agency to improve the physical appearance of the subject property in the short term while encouraging long term redevelopment of the site, as well as improve access to Victory Park. Physical enhancements may include new signage, fencing and landscaping to improve the aesthetic conditions of the property. The subject property would be acquired by the Redevelopment Agency through a negotiated agreement, or upon determination by the Redevelopment Agency, by eminent domain.

**Surrounding land uses and settings:**

The project site is located in downtown Long Beach, with surrounding various office, commercial, residential and institutional uses to the north, east and west and by the Pike commercial entertainment complex and Aquarium of the Pacific to the south.

**Public agencies whose approval is required:**

Long Beach Redevelopment Agency (adopt Negative Declaration 07-10)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

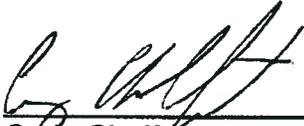
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Less Than Significant with Mitigation Incorporation" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Population & Housing
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Public Services
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Transportation & Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> National Pollution Discharge Elimination System	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Noise	<input type="checkbox"/> Mandatory Findings of Significance

**DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Craig Chalfant  
Planner

9/23/10  
\_\_\_\_\_  
Date

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except “No Impact” answers that are supported adequately by the information sources a lead agency cites in the parenthesis following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration; Less Than Significant With Mitigation Incorporation” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effect were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the check list references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold. If any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**I. AESTHETICS**

**a. Would the project have a substantial adverse effect on a scenic vista?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The City topography is relatively flat, with scenic vistas of the ocean to the south and the Palos Verdes peninsula to the west. The nearest scenic hills are located in the City of Signal Hill, which is completely surrounded by the City of Long Beach. In addition, distant views of the San Gabriel and San Bernardino Mountains to the north as well as the Santa Ana Mountains to the east are occasionally available to the public on days of clear visibility (primarily during the winter months).

The project site is surrounded by the various office, commercial, residential and institutional uses in downtown Long Beach. The nearest scenic vistas are the hilly topography in the City of Signal Hill. The City's Scenic Routes Element does not identify any scenic routes in the project vicinity.

The proposed project involves the Long Beach Redevelopment Agency acquisition of the property located at 100 E. Ocean Boulevard (Assessor Parcel No. 7278-007-048). This approximately 36,563 square foot project site presently consists entirely of an unenclosed paved asphalt parking lot. The project would not involve the construction of any structures or establishment of any land uses. The property acquisition and possible minor project site physical enhancements (new signage, fencing and landscaping) that make up the scope of this project would not impact any existing scenic vistas. No further environmental analysis is required.

**b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no State designated scenic highways located within the City (the portion of Pacific Coast Highway east of the Traffic Circle is identified in the State's Scenic Highway Program as an "eligible" scenic highway). No scenic resources, trees or rock outcroppings would be damaged as a result of project implementation. There would therefore be no impact to any scenic resource and no further analysis is required.

**c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Sections I. (a) and (b) above for discussion. Project activities, which involve only project site acquisition and possible minor physical enhancements such as new signage, fencing and landscaping, would not degrade the existing visual character or quality of the project site or surrounding area and therefore no further analysis of this environmental issue is required.

**d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site vicinity is urban in character, with high levels of lighting emanating from the downtown Long Beach office, commercial, residential and institutional land uses. Project implementation would not include any lighting equipment since no construction activities or land uses are proposed as part of this project. No temporary or permanent new sources of light or glare are proposed as part of this project. No further analysis of this environmental issue is required.

## II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**c. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

For Sections II. (a), (b) and (c) -There are no agricultural zones within the City of Long Beach, which is a fully urbanized community without any significant agricultural resources. The proposed project would have no effect upon agricultural resources within the City of Long Beach or any other neighboring city or county.

### III. AIR QUALITY

The South Coast Air Basin is subject to some of the worst air pollution in the nation, attributable to its topography, climate, meteorological conditions, large population base, and dispersed urban land use patterns.

Air quality conditions are affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric forces such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, determine how air pollutant emissions affect air quality.

The South Coast Air Basin has a limited capability to disperse air contaminants because of its low wind speeds and persistent temperature inversions. In the Long Beach area, predominantly daily winds consist of morning onshore airflow from the southwest at a mean speed of 7.3 miles per hour and afternoon and evening offshore airflow from the northwest at 0.2 to 4.7 miles per hour with little variability between seasons. Summer wind speeds average slightly higher than winter wind speeds. The prevailing winds

carry air contaminants northward and then eastward over Whittier, Covina, Pomona and Riverside.

The majority of pollutants found in the Los Angeles County atmosphere originate from automobile exhausts as unburned hydrocarbons, carbon monoxide, oxides of nitrogen and other materials. Of the five major pollutant types (carbon monoxide, nitrogen oxides, reactive organic gases, sulfur oxides, and particulates), only sulfur oxide emissions are produced mostly by sources other than automobile exhaust.

**a. Would the project conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site is located within the City of Long Beach, which is part of the South Coast Air Basin and under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD's *CEQA Air Quality Handbook* establishes the current guidelines and emission thresholds for assessment of potential air quality impacts. This *Air Quality Handbook* includes a consistency finding to determine whether a project is inconsistent with the assumptions and objectives of the SCAQMD's *Air Quality Management Plan (AQMP)*. In addition, the Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, it is consistent with the AQMP, and regional emissions are mitigated by the control strategies specified in the AQMP.

The project would not add any residential units or new structures that could create substantial employment or housing demands. The proposed project only involves property acquisition and possibility some minor physical enhancements (new signage, fencing, and landscaping). Since this project is not growth inducing, there would be no inconsistencies with either the SCAG growth forecasts or the AQMP and therefore no further analysis is required.

**b. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Both the State of California and the federal government have established ambient air quality standards for the following air pollutants: carbon monoxide, ozone, nitrogen oxides, sulfur oxides, particulate matter less than 10 and 2.5 microns in diameter, and lead. Ozone is formed by a photochemical reaction

between nitrogen oxides and reactive organic gases, and therefore ozone impacts are assessed by evaluating these two sources.

No construction or land use activities are proposed as part of this project. Project implementation only involves property acquisition and possibility some minor physical enhancements (new signage, fencing, and landscaping). Due to the limited scope of project activities, potential air quality impacts would not be substantial. No further analysis of this environmental issue is therefore required.

**c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Sections III. (a) and (b) above for discussion. The project would not result in significant cumulatively considerable air quality impacts due to the limited scope of project activities. No further analysis of this environmental issue is required.

**d. Would the project expose sensitive receptors to substantial pollutant concentrations?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The *CEQA Air Quality Handbook* defines sensitive receptors as children, elderly and sick individuals that are more susceptible to the effects of air pollution than the population at large. Facilities that serve various types of sensitive receptors, including schools, hospitals, and senior care centers, are located throughout the City.

There are no facilities serving sensitive receptors in the immediate project site vicinity. Project activities would not result in significant air quality impacts. Please see Sections III. (a) and (b) above for further discussion.

**e. Would the project create objectionable odors affecting a substantial number of people?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources of odors from construction activities include use of architectural coatings and solvents, and diesel-powered construction equipment. SCAQMD Rule 1113 limits the amount of volatile organic compounds (VOCs) from architectural coatings and solvents, which lowers odorous emissions.

Project activities, which only involve property acquisition and possibly minor physical enhancements (new signage, fencing, and landscaping) would not create any objectionable odors. No further analysis of this environmental issue is therefore required.

**f. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not create any on-site stationary sources and would not establish any new growth-inducing land uses. The project would not result in any new, ongoing sources of greenhouse gas emissions. Therefore, the project's contribution to greenhouse gas emissions on global climate change is less than significant and no further analysis of this environmental issue is required.

**g. Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Section III. (f) above for discussion. The project would not establish any new plans, policies or regulations that would conflict with any federal, State or local plans, policies or regulations intended to reduce greenhouse gas emissions.

**IV. BIOLOGICAL RESOURCES**

- a. Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no wildlife habitats or habitats for any sensitive or special status species within or in the vicinity of the project site. The surrounding area is fully urbanized, and the project site has no open space or any other type of environmental conditions that could accommodate wildlife habitat. The project site consists entirely of an impervious asphalt paved surface parking lot. No further environmental analysis is required.

- b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no riparian habitat areas in or around the project site. The project would have no impact on any riparian habitats or other sensitive natural communities. No further environmental analysis is required.

- c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no wetland areas in or around the project site. The project would not impact any protected wetland areas. No further environmental analysis is required.

**d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site is fully urbanized as an unenclosed paved parking lot and the project would not alter or adversely impact any native resident or migratory fish or wildlife species, corridors or nursery sites. No further environmental analysis is required.

**e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Project implementation would not alter or eliminate any existing or future policy or ordinance protecting biological resources. No further environmental analysis is required.

**f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project is unrelated to habitat conservation and would not have any adverse effects on any existing or future habitat conservation plans. Please see Sections IV. (a) through (e) above for further discussion.

## V. CULTURAL RESOURCES

Evidence indicates that primitive peoples inhabited portions of the City as early as 5,000 to 2,000 B.C. Much of the remains and artifacts of these ancient peoples were

destroyed during the first century of the City's development. The remaining archaeological sites are located predominantly in the southeast sector of the City.

**a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section §15064.5?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no designated historic buildings on the project site and the project site is not located in a historic district. Project implementation would have no impact on any historic resources in the City. No further environmental analysis is required.

**b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section §15064.5?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

No archaeological resources are known to exist in or around the project site. The probability that project implementation could impact any archaeological deposits is considered to be very low, given that the project site has been previously disturbed by grading associated with past construction activities. Furthermore, the project does not involve any construction or earth-moving activities. Impacts related to archaeological resources would therefore be less than significant and no further environmental analysis is required.

**c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

No ground disturbances such as grading and excavation are involved in project implementation, which consists only of project site property acquisition and possibly minor physical enhancements (new signage, fencing and landscaping). Please see Sections V. (a) and (b) above for further discussion.

**d. Would the project disturb any human remains, including those interred outside of formal cemeteries?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Due to past ground disturbances and the fully urbanized character of the surrounding area, no conditions exist that suggest human remains are likely to be found on the project site. Project implementation would not disturb any human remains, including those interred outside of formal cemeteries, since no ground disturbances are involved in project activities. Please see Section V. (c) above for further discussion.

**VI. GEOLOGY AND SOILS**

**a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Per Plate 2 of the Seismic Safety Element of the General Plan, the most significant fault system in the City is the Newport-Inglewood fault zone. This fault zone runs in a northwest to southeast angle across the southern half of the City. The project site is located approximately three miles south of this fault zone. However, project implementation would not expose people or structures to potentially substantial adverse effects involving fault rupture since the project does not involve the use or construction of any buildings for human occupancy. No significant impacts related to fault rupture are anticipated and no further analysis is therefore required.

- ii. Strong seismic ground shaking?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The Newport-Inglewood fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in Southern California has the potential to create considerable levels of ground shaking throughout the City. However, numerous variables determine the level of damage to a specific location. Given these variables, it is not possible to determine the level of damage that may occur on the site during a seismic event. The project would not increase the likelihood of an earthquake or increase the severity of earthquake induced seismic ground shaking. The project would not involve the use or construction of any buildings for human occupancy and therefore project impacts would be less than significant and no further environmental analysis is required. Please see Section VI. (a)(i) above for further discussion.

**iii. Seismic-related ground failure, including liquefaction?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Per Plate 7 of the Seismic Safety Element, most of the City is located in areas of either minimal or low liquefaction potential. The only exceptions are in the southeastern portion of the City, where there is significant liquefaction potential, and the western portion (most of the area west of Pacific Avenue and south of the 405 freeway), where there is either moderate or significant liquefaction potential. The project site is located in the portion of downtown Long Beach south of Ocean Boulevard that has significant liquefaction potential. However, the project would not involve the use or construction of any buildings for human occupancy. Project impacts regarding seismic-related ground failure would therefore be less than significant and no further environmental analysis is required. Please see Sections VI. (a)(i) and (ii) above for further discussion.

**iv. Landslides?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Per the Seismic Safety Element, the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). The State Seismic Hazard Zone map of the Long Beach Quadrangle indicates that the lack of steep terrain (except for a few

slopes on Signal Hill and Reservoir Hill) results in only about 0.1 percent of the City lying within the earthquake-induced landslide zone for this quadrangle. The project site is flat and although there is a hillside immediately to the north of the project site extending upward to Victory Park, project implementation would not involve the use or construction of any buildings for human occupancy. Therefore, no significant impacts to people or structures would be expected and no further environmental analysis is required.

**b. Would the project result in substantial soil erosion or the loss of topsoil?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site is presently a paved surface parking lot. The project would not involve any construction or earth-moving activities. Project implementation would therefore have no effect on this impervious parking lot surface. No further environmental analysis is required.

**c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section VI. (b) above for discussion. No soil movement would occur from project implementation. No further environmental analysis is required.

**d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Per the City's Seismic Safety Element, the City is divided into four predominant soil profiles, designated as Profiles A through D. The project site is located in Profile A, which is predominately man-made fill generally composed of fine sand and silty soils. These types of soils are considered less expansive than soils with higher clay content, which tend to hold water and expand during rainy periods.

Therefore, the project site is not characterized by more expansive types of soils and impacts would be less than significant.

**e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The entire City is served by an existing sewer system and therefore no need for septic tanks or any other alternative waste water disposal systems. No further environmental analysis is required.

## VII. HAZARDS AND HAZARDOUS MATERIALS

**a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

An impervious asphalt surface parking lot makes up the existing improvements on this approximately 36,563 square foot project site. Project activities would not alter this parking lot surface or involve any new construction or land uses. No transport, use or disposal of any hazardous materials are involved in project activities. No further analysis of this environmental issue is therefore required.

**b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section VII. (a) above for discussion.

**c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Sections VII. (a) and (b) above for discussion. There are no existing or proposed schools within one-quarter mile of the project site. No further environmental analysis of this issue is therefore required.

**d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site is not included on any lists of hazardous materials sites. Please see Sections VII. (a) and (b) above for further discussion.

**e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately four miles south of this Airport. However, project activities would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is required.

**f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

**g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not create any structures or alter any travel routes that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further environmental analysis is required.

**h. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The City is a highly urbanized community and there are no wild lands in the project site vicinity. There would be no risk of exposing people or structures to a significant risk of loss, injury or death involving wild land fires. No further environmental analysis is required.

## VIII. HYDROLOGY AND WATER QUALITY

The Federal Emergency Management Agency (FEMA) has produced a series of Flood Insurance Rate Maps (FIRMs) designating potential flood zones (based on the projected inundation limits for breach of the Hansen Dam and that of the Whittier Narrows Dam, as well as the 100-year flood as delineated by the U.S. Army Corps of Engineers).

**a. Would the project violate any water quality standards or waste discharge requirements?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Pursuant to Section 402 of the federal Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources (conveyances such as pipelines) that discharge pollutants. The City of Long Beach has its own municipal NPDES permit (NPDES No. CAS004003), which requires certain types of projects to comply with the Los Angeles County Standard Urban Storm Water Mitigation Plan (SUSMP). The types of projects subject to SUSMP requirements are hillside projects, residential subdivisions of 10 units or more, new commercial development of 100,000 square feet or more of impermeable areas, and projects located adjacent to or discharging into environmentally sensitive areas. This project would therefore not be subject to SUSMP requirements.

The State of California requires any construction activity disturbing one acre or more of soil to comply with the State General Construction Activity Storm Water Permit. No construction activities are proposed as part of the project for this site, which totals 36,563 square feet or about 0.84 acres. The project would therefore not be subject to this State permit requirement.

No significant storm runoff would result from project implementation since the project does not involve any construction or alteration of the existing project site impervious parking lot surface. Therefore, impacts would be at a less than significant level and no further environmental analysis is required.

**b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section VIII. (a) above for discussion. Project activities would not involve any construction or alteration of existing project site conditions. Therefore, no groundwater contact would occur as a result of project implementation and no further analysis of this environmental issue is required.

**c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or**

**river, in a manner which would result in substantial erosion or siltation on- or off-site?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The nature and scope of this project would not alter any existing drainage patterns or alter the course of any streams or rivers. No increase in impervious surfaces would result from this project, and no substantial erosion or siltation on-site or off-site would occur. No further analysis of this environmental issue is therefore required.

**d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Sections VIII. (a) and (c) above for discussion.

**e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Sections VIII. (a) and (c) above for discussion. The City's existing storm water drainage system is adequate to accommodate runoff from the project site and project implementation would not alter existing drainage conditions in or around the project site.

**f. Would the project otherwise substantially degrade water quality?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Sections VIII. (a) and (c) above for discussion.

**g. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

No housing or any other type of residential land uses or structures are proposed as part of this project.

**h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section VIII. (g) above for discussion. No new structures are proposed as part of this project.

**i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section VIII. (g) above for discussion. Flooding in Long Beach would most likely be the result of either heavy rains or earthquakes. Earthquake induced flooding could result from failure of water-retaining structures during earthquakes. However, the project does not involve the use or construction of any buildings for human occupancy and therefore would not increase exposure of people or structures to a significant risk of flooding related hazards. No further environmental analysis is required.

**j. Would the project result in inundation by seiche, tsunami or mudflow?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

A tsunami is a sea wave generated by a submarine earthquake, landslide or volcanic activity. More specifically, tsunamis are long period, low amplitude

ocean waves. According to the City's Seismic Safety Element, a major tsunami from an earthquake, landslide or volcanic event is considered extremely remote for Long Beach. A seiche is an earthquake or landslide induced wave that can be generated in any enclosed body of water.

The project would not alter coastal conditions or any other natural or man-made features that could influence the pattern or severity of inundation by seiche, tsunami or mudflow. The project does not involve the use or construction of any buildings for human occupancy. No further environmental analysis is required.

## IX. LAND USE AND PLANNING

### a. Would the project physically divide an established community?

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would involve acquisition of the privately owned property at 100 E. Ocean Boulevard and possibly minor physical enhancements such as new signage, fencing and landscaping. Project implementation is therefore limited in scope and would not physically divide any established community. No impacts would result from the project and no further environmental analysis is required.

### b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site is located in General Plan Land Use Designation (LUD) No. 7 Mixed Use. This LUD is intended for large, vital activity centers such as downtown Long Beach. Combinations of land uses intended for this LUD are retail, office, higher density residences, visitor-serving facilities, and professional services. The project site's zoning district is PD-6 Downtown Shoreline Planned Development District. The intent of this Planned Development zoning district is to provide a framework to guide and control the development of the downtown shoreline area, with an emphasis on a variety of land uses that allow significant public access through and around uses.

The project site is located in the Downtown Long Beach Redevelopment Project Area. The project site is not located in any historic district and there are no historic buildings on the project site.

The proposed project would not conflict with the General Plan, Zoning Code, or any other applicable land use plans, policies or regulations. Project impacts would therefore be less than significant and no further environmental analysis is required.

**c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Sections IX. (a) and (b) above for discussion. The City is a highly urbanized environment characterized by in-fill development projects that recycle previously developed properties. As stated in Biological Resources IV. (a) above, there are no wildlife habitats or habitats for any sensitive or special status species within or in the vicinity of the project site. No habitat conservation plan or natural communities conservation plan would be impacted by project implementation.

**X. MINERAL RESOURCES**

Historically, the primary mineral resources within the City of Long Beach have been oil and natural gas. However, oil and gas extraction operations have diminished over the last century as the resource has become depleted. Today, extraction operations continue but on a reduced scale compared to past levels.

**a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project site and surrounding properties are part of a fully urbanized area with no known mineral resources of value or mineral extraction operations in the immediate vicinity. There are no mineral resource activities that would be altered or displaced by the project. No further environmental analysis is required.

**b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section X. (a) above for discussion. The project site is not located in or near any mineral extraction operations. The project does not involve a mineral resource recovery site and therefore no impacts from project implementation would occur.

**XI. NOISE**

Noise is defined as unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence.

Some land uses are considered more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. Residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, parks and outdoor recreation areas are more sensitive to noise than are commercial and industrial land uses.

The City of Long Beach uses the State Noise/Land Use Compatibility Standards, which suggests a desirable exterior noise exposure at 65 dBA Community Noise Equivalent Level (CNEL) for sensitive land uses such as residences. Less sensitive commercial and industrial uses may be compatible with ambient noise levels up to 70 dBA. The City of Long Beach has adopted a Noise Ordinance (Long Beach Municipal Code Chapter 8.80) that sets exterior and interior noise standards.

**a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

All construction activities must be done in compliance with the City's Noise Ordinance (Long Beach Municipal Code Section 8.80). Per the Municipal Code, construction activities are limited to the hours of 7:00 AM to 7:00 PM on weekdays and federal holidays, and 9:00 AM to 6:00 PM on Saturdays. Project activity on Sundays is prohibited unless a special permit is approved by the City's

Noise Control Officer. Per Long Beach Municipal Code Chapter 8.80.130, it is unlawful for any person to willfully make or continue, or cause to be made or continued, a loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The project would not alter the Noise Ordinance provisions or be exempt from local noise controls.

Noise levels from the proposed project would be minimal due to the limited scope of project related improvements, which would only involve the possibility of minor physical enhancements such as new signage, fencing and landscaping. No significant noise impacts would result from project implementation and therefore no further analysis of this environmental issue is required.

**b. Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Section XI. (a) above for discussion. Project activities would not involve any construction equipment that could create elevated levels of ground borne vibrations or noises. Installation of any proposed physical enhancements such as signage, fencing and landscaping would not create any excessive noise or vibration levels. Therefore, project impacts would be less than significant and no further environmental analysis is required.

**c. Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Section XI. (a) above for discussion. Project implementation, involving only property acquisition and minor property enhancements, would not result in substantial permanent increases in ambient noise levels.

**d. Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

See Section XI. (a) for discussion.

**e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately four miles south of this Airport. However, project implementation would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

**f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area excessive noise levels?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

## **XII. POPULATION AND HOUSING**

The City of Long Beach is the second largest city in Los Angeles County. At the time of the 2000 Census, Long Beach had a population of 461,522, which was a 7.5 percent increase from the 1990 Census. The 2000 Census reported a total of 163,088 households in Long Beach, with an average household size of 2.8 persons and a Citywide vacancy rate of 6.32 percent. As of January 1, 2010, the City of Long Beach has an estimated population of 494,709 (State of California, Department of Finance E-1 Report).

**a. Would the project induce substantial population growth in an area, either directly or indirectly?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not directly or indirectly induce population growth in the project vicinity. The project would not create any new housing units or employment generating land uses and would therefore have no population growth impacts.

**b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

There are no housing units on the project site or people residing on the project site in any form of temporary housing. The project would therefore not displace any existing housing units or people from the project site.

**c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section XII. (b) above for discussion.

**XIII. PUBLIC SERVICES**

Fire protection would be provided by the Long Beach Fire Department. The Fire Department is divided into bureaus of Fire Prevention, Fire Suppression, the Bureau of Instruction, and the Bureau of Technical Services. The Fire Department is accountable for medical, paramedic, and other first aid rescue calls from the community.

Police protection would be provided by the Long Beach Police Department. The Police Department is divided into bureaus of Administration, Investigation, and Patrol. The City is divided into four Patrol Divisions: East, West, North and South.

The City of Long Beach is served by the Long Beach Unified School District, which also serves the City of Signal Hill, Catalina Island and a large portion of the City of

Lakewood. This School District has been operating at or over capacity during the past decade.

**Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**a. Fire protection?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project does not include any new housing units or any other type of structure. The project would therefore not significantly impact existing fire service ratios and response times, and would not increase the demand for additional fire protection services. No further environmental analysis is required.

**b. Police protection?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Similar to Section XIII. (a) above, the project would not significantly impact existing police service ratios and response times, and would not increase the demand for additional police protection services. No further environmental analysis is required.

**c. Schools?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project does not involve any housing units or employment generating land uses and therefore would not create the demand for any new school facilities. No further environmental analysis is required.

**d. Parks?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project does not involve new housing units or construction of new parks or recreational facilities. The project would therefore not create any new demands for parks or recreational facilities and no further environmental analysis is required.

**e. Other public facilities?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

No other impacts have been identified that would require the provision of new or physically altered governmental facilities. Project implementation would not increase the demand for any other public facilities (e.g., libraries) or create the need for alteration or construction of any governmental buildings. No further environmental analysis is required.

**XIV. RECREATION**

**a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section XIII. (d) above for discussion. The project does not involve new housing units or construction of new parks or recreational facilities. The project would therefore not create any new demands for parks or recreational facilities and no further environmental analysis is required.

**b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section XIV. (a) above for discussion.

**XV. TRANSPORTATION/TRAFFIC**

**a. Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project does not involve the development of any trip-generating land uses. Project implementation would therefore not cause any substantial temporary or permanent increase in traffic volumes and no further environmental analysis is required.

**b. Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Please see Section XV. (a) for discussion.

**c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately four miles south of this Airport. However, project implementation would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is required.

**d. Would the project substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not alter the design features of any streets or alleys and would not introduce or encourage any incompatible land uses in the project vicinity. No further environmental analysis is required.

**e. Would the project result in inadequate emergency access?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not alter any land uses, transportation patterns, or emergency access routes. No further environmental analysis is required.

**f. Would the project result in inadequate parking capacity?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The land use presently on the project site is a paved surface commercial public parking lot. This parking lot is not reserved, restricted or intended for any specific property or land use in the downtown area. While any future termination of this parking lot land use would reduce the overall supply of downtown public parking spaces, there are many public parking lots in various locations throughout the downtown area that adequately serve parking demands. Possible future removal of this parking lot land use would therefore not result in a significantly adverse impact to downtown parking needs.

The project does not involve the development of any trip-generating land uses and therefore would not require any on-site or off-site parking areas. No further environmental analysis is required.

**g. Would the project conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would not set forth or encourage any proposals or projects that would conflict with any adopted alternative transportation policies. No further environmental analysis is required.

**XVI. UTILITIES AND SERVICE SYSTEMS**

**a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**d. Would the project have sufficient water supplies available to serve the project from existing entitlement and resources, or are new or expanded entitlement needed?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

**g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

For Sections XVI. (a) through (g) – The project would not create any housing units or growth inducing commercial, industrial or institutional land uses and therefore the project would not create any substantial demands or place an undue burden on any utility or service system. The City of Long Beach is an urbanized setting with all utilities and services fully in place. No further environmental analysis is required.

## **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The proposed project would be located within an established urbanized setting. As determined in Section IV. Biological Resources and Section V. Cultural Resources, the project would have no impacts on biological or cultural resources. The project would not degrade the quality of the environment, impact any natural habitats, impact any fish or wildlife populations, threaten any plant or animal communities, alter the number or restrict the range of any rare or endangered plants or animals, or eliminate any examples of the major periods of California history or prehistory.

**b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

The project would only involve acquisition of a privately owned property and minor physical enhancements such as new signage, fencing and landscaping. Due to the project’s limited nature and scope, project implementation would not have any significant impacts that are individually limited but cumulatively considerable.

**c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

- Potentially Significant Impact       Less Than Significant with Mitigation Incorporation       Less Than Significant Impact       No Impact

Potential project impacts have been analyzed in this Negative Declaration and, as concluded in the discussions on these issues, the project would have a less than significant impact on the environment and would not have significant adverse effects on human beings.

**EXHIBIT "D"**



Linda S Adams  
Secretary for  
Environmental Protection

**Department of Toxic Substances Control**

Maziar Movassaghi  
Acting Director  
5796 Corporate Avenue  
Cypress, California 90630



Arnold Schwarzenegger  
Governor

October 14, 2010

Mr. Craig Chalfant, Planner  
Long Beach Redevelopment Agency  
333 West Ocean Boulevard, 5th Floor  
Long Beach, California 90802

**NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION FOR THE 100 E OCEAN BOULEVARD ACQUISITION PROJECT (SCH# 2010091058), LOS ANGELES COUNTY**

Dear Mr. Chalfant:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Initial Study (IS) and proposed draft Negative Declaration (ND) for the above-mentioned project. The following project description is stated in your document: "The proposed project involves acquisition of a privately owned property located at 100 E. Ocean Boulevard by the Long Beach Redevelopment Agency (Redevelopment Agency) for the purpose of land assembly for future development. Acquisition of the subject property would allow the Redevelopment Agency to improve the physical appearance of the subject property in the short term while encouraging long term redevelopment of the site, as well as improve access to Victory Park. The project site is located in downtown Long Beach, with surrounding various offices, commercial, residential and institutional uses to the north, east and west and by the Pike commercial entertainment complex and Aquarium of the Pacific to the south. The project site is located in General Plan Land Use Designation (LUD) No. 7 Mixed Use. An impervious asphalt surface parking lot makes up the existing improvements on this approximately 36,563 square foot project site".

Based on the review of the submitted document DTSC has the following comments:

- 1) The ND should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
  - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U S EPA)

## **EXHIBIT "D"**

Mr. Craig Chalfant  
October 14, 2010  
Page 2

- Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
  - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
  - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S. EPA.
  - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
  - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
  - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
  - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the ND.

## EXHIBIT "D"

Mr Craig Chalfant  
October 14, 2010  
Page 3

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see [www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

**EXHIBIT "D"**

Mr Craig Chalfant  
October 14, 2010  
Page 4

- 9) Also, in future CEQA documents, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail

If you have any questions regarding this letter, please contact me at [rahmed@dtsc.ca.gov](mailto:rahmed@dtsc.ca.gov), or by phone at (714) 484-5491.

Sincerely,



Greg Holmes  
Unit Chief  
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
[ADelacr1@dtsc.ca.gov](mailto:ADelacr1@dtsc.ca.gov)

CEQA # 3018

RESOLUTION NO. R.A.

A RESOLUTION OF THE REDEVELOPMENT  
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,  
FINDING AND DETERMINING THE PUBLIC INTEREST  
AND NECESSITY FOR ACQUIRING AND AUTHORIZING  
THE CONDEMNATION OF CERTAIN REAL PROPERTY  
(100 EAST OCEAN BOULEVARD) WITHIN THE  
DOWNTOWN LONG BEACH REDEVELOPMENT  
PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, et seq., is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Downtown Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring and assembling certain parcels of real property, including the real property located at 100 East Ocean Boulevard, Long Beach, California more particularly described as:

PARCEL 1:

LOT "A" OF TRACT NO. 604, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15 PAGE 96 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THERE FROM ALL OIL, GAS AND OTHER MINERALS, AS RESERVED BY HERMAN HERTZ AND MOLLIE HERTZ IN A DEED RECORDED JULY 8, 1975 AS INSTRUMENT NO. 2495.

THE SURFACE, RIGHTS OF SURFACE ENTRY, AND THAT PORTION OF THE SUBSURFACE ABOVE A DEPTH OF 500 FEET BELOW THE SURFACE, INCLUDING ANY AND ALL RIGHTS OF PENETRATION INTO SAID SUBSURFACE, INCLUDING

THE INSTALLATION OF ANY AND ALL PIPE LINES FOR WHATEVER PURPOSE OF LOT "A" AS SHOWN ON THE MAP OF TRACT NO. 604, RECORDED IN BOOK 15, PAGE 96 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WERE QUITCLAIMED TO JERGENS COURT ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP BY HERMAN HERTZ AND MOLLIE HERTZ BY DEED RECORDED OCTOBER 17, 1983 AS INSTRUMENT NO. 83-1224774.

EXCEPT THERE FROM TO HERMAN HERTZ AND MOLLIE HERTZ AND THEIR ASSIGNEES ALL OIL, MINERAL, GAS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN SAID QUITCLAIM DEED.

PARCEL 2:

THAT PORTION OF SEASIDE WAY, VACATED BY RESOLUTION NO. C-23085 OF THE CITY OF LONG BEACH, A CERTIFIED COPY THEREOF BEING RECORDED ON JANUARY 19, 1981 AS INSTRUMENT NO. 81-62531 OF SAID COUNTY, AS SHOWN ON MAP OF BLOCK L OCEAN PIER TRACT, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED IN BOOK 5 PAGE 135 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT "A" OF TRACT NO. 604, RECORDED IN BOOK 15 PAGE 96 OF MAPS OF SAID COUNTY, THENCE SOUTH 62.46 FEET, THENCE SOUTH 45 DEGREES EAST 14.14 FEET, TO THE SOUTHERLY LINE OF SAID VACATION THENCE EAST ALONG SAID SOUTHERLY LINE TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT "A", THENCE NORTHERLY ALONG SAID PROLONGATION 62.69 FEET TO THE SOUTHEAST CORNER OF SAID LOT "A", THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT "A" TO THE POINT OF BEGINNING.

EXCEPT THERE FROM ALL OIL, GAS, HYDROCARBON SUBSTANCES AND ALL OTHER MINERALS BELOW A PLANE 200 FEET BENEATH THE SURFACE OF SAID LAND, BUT WITHOUT RIGHT OF SURFACE ENTRY.

PARCEL 3:

THAT PORTION OF THE EASTERLY 40 FEET OF PINE AVENUE (80 FEET WIDE) AS SHOWN ON THE OCEAN FRONT TRACT, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 39 PAGES 18 TO 33 INCLUSIVE OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALSO THE WESTERLY 20 FEET OF LOT 1 AS SHOWN ON THE MAP OF BLOCK L OCEAN PIER TRACT, IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 5 PAGE 135 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALSO THAT PORTION OF SEASIDE WAY (FORMERLY SEASIDE BOULEVARD) AS SHOWN ON SAID MAP OF BLOCK L OCEAN PIER TRACT, BOUNDED AND DESCRIBED AS FOLLOWS:

ON THE NORTH BY THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT A OF TRACT NO. 604, IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 15 PAGE 96 OF MAPS, IN SAID RECORDER'S OFFICE; ON THE SOUTH BY THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF THAT PORTION OF SEASIDE WAY AS VACATED BY DOCUMENT RECORDED JANUARY 19, 1981 AS INSTRUMENT NO. 81-62531; ON THE EAST BY THE

WESTERLY LINE OF SAID LOT A AND THE WESTERLY LINE OF SAID VACATED SEASIDE WAY; AND ON THE WEST BY THE WESTERLY LINE, AND ITS SOUTHERLY PROLONGATION, OF THE EASTERLY 40 FEET OF SAID PINE AVENUE AS SHOWN ON SAID OCEAN FRONT TRACT.  
APN: 7278-007-048

and as shown on the site plan attached hereto as Exhibit A, and incorporated herein by this reference ("Subject Property).

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235.

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, FINDS, DETERMINES, DECLARES AND RESOLVES as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property, including the improvements thereon, for a public use, to wit, for redevelopment purposes in connection with and located in the Redevelopment Project, including, but not limited to, land assembly for future development.

Section 2. The Agency is authorized to acquire the Subject Property, including the improvements thereon, pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Section 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Section 4. The Subject Property is necessary for the proposed project.

Section 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of record, which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Section 6. The Agency is hereby authorized and empowered to acquire by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain, the fee title or interest in the Subject Property, including the improvements thereon.

Section 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to acquire for the Agency the Subject Property. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

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APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this 15th day of November, 2010.

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Executive Director/Secretary

APPROVED:

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Chair

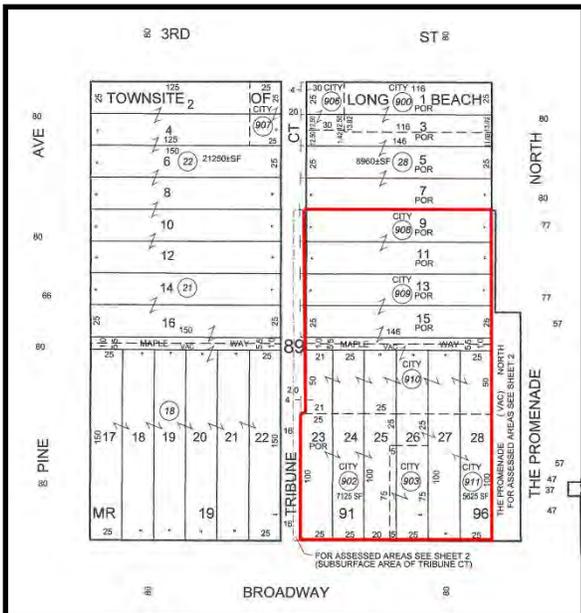


# 114-122). Broadway Promenade Development



## **Parcel Data:**

Property Type:	Commercial
Permissible Use:	Future Development
Property Address:	127-135 E. Broadway/ 120 E. 3 <sup>rd</sup> Street
Assessor ID Number(s):	7280-020-902, -903, -907, -908, -909, -910, -911, -912, -913,
Lot Size (SF):	45,280
Zoning:	LBDP30
Council District:	2
Strategic Plan:	Downtown Guide for Development & Promenade Master Plan



These properties were initially acquired to eliminate blight and blighting influences and to assemble under-utilized property into developable land in conjunction with the redevelopment of the pedestrian Promenade. Consistent with the Strategic Guide, the goal is to make Greater Downtown a vital pedestrian place during daytime, evenings and weekends. This is the last remaining parcel to be developed as part of the Promenade master plan, which envisioned a series of mixed use residential projects surrounding the pedestrian spine of The Promenade. Due to limited site access, it is anticipated that residential development is the highest and best use, and would maximize public dividends in terms of property tax increases. In addition, one of the parking lots provides required parking for the adjacent loft project, Insurance Exchange, so any development that occurs on the site must incorporate additional parking for these users. The resulting development would come from a competitive bidding process in the form of an RFP to be released as soon as possible.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





# Building A Better Long Beach

## Item 3

April 7, 2008

### REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach

California

### RECOMMENDATION:

Approve and authorize the Executive Director to execute a Purchase and Sale Agreement and all other related documents for the acquisition of property at 120 East 3rd Street for \$675,000 plus closing and relocation costs. (Downtown - District 2)

### DISCUSSION

The Estate of Philip L. Charlton (Seller) owns the property at 120 East 3rd Street (Property) in the Downtown Redevelopment Project Area (Exhibit A – Site Map). The Property is a 1,250-square-foot lot improved with a two-story, 2,400-square-foot-building with a lower level commercial space and an upper level residential unit.

In an appraisal dated January 18, 2008, the Redevelopment Agency's (Agency) appraiser valued the property at \$600,000. The Seller's appraisal valued the property at \$750,000. The Seller has agreed to sell the property for \$675,000 (\$540 per square foot), which is 13 percent above the Agency's appraised value. Eligible tenants will be relocated according to state relocation law.

Acquisition of this property will assist in the development of the 3<sup>rd</sup> Street and Pine Avenue corridor and is consistent with the Agency's goal to assemble the site for development. This is a voluntary sale, thus avoiding eminent domain action.

### SUGGESTED ACTION:

Adopt recommendation.

Respectfully submitted,

CRAIG BECK  
EXECUTIVE DIRECTOR

CB:DSW:BC:bc

Attachments: Exhibit A – Site Map

R:\RDA Board\RDA Board Meetings\2008\April 7\120 E 3rd St acquisition - 040708.doc

**THE CITY OF LONG BEACH REDEVELOPMENT AGENCY**

333 West Ocean Blvd., Long Beach, CA 90802 T: 562.570.6615 F: 562.570.6215 rda.longbeach.gov



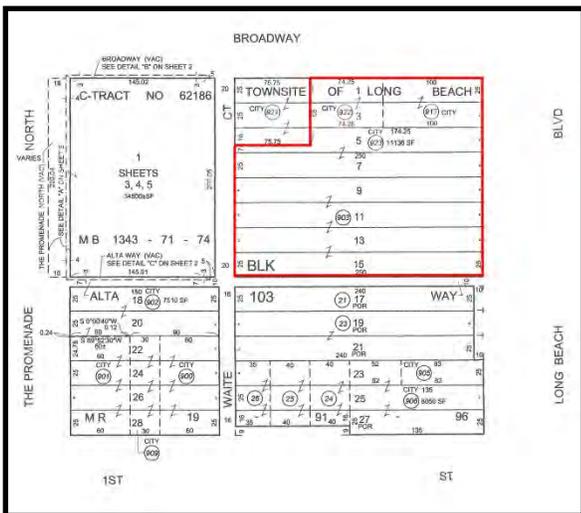
STAFF REPORT UNAVAILABLE

# 123-126). Broadway & Long Beach Blvd. Development

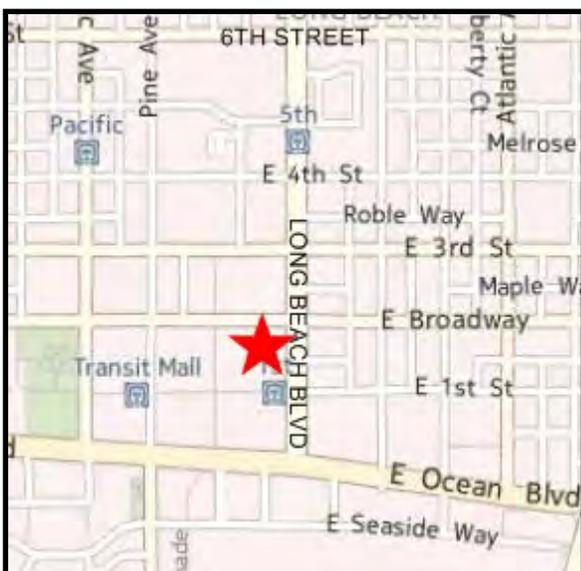


## Parcel Data:

Property Type:	Parking Lot
Permissible Use:	Future Development
Property Address:	125-133 N. Long Beach Blvd./234-248 E. Broadway
Assessor ID Number(s):	7280-025-903, -917, -922 & -923
Lot Size (SF):	44,849
Zoning:	LBP30
Council District:	2
Strategic Plan:	Downtown Guide for Development



These properties are critical to the overall redevelopment of the Downtown area as they serve as a major transition between the Downtown Core and the East Village Arts District. The properties are also directly adjacent to a METRO Blue Line light rail station, making them attractive as a Transit Oriented Development site. The parcels were originally acquired to eliminate blighting influences and remove criminal activities associated with the former uses. Market forces will soon be favorable for a competitive RFP for development consistent with the Redevelopment Plan, Strategic Guide and Strategic Action Plan to revitalize the downtown and restore the downtown to a vibrant center for residences, business and commerce.



**Successor Agency to the  
Redevelopment Agency of  
the City of Long Beach**





**AGENDA ITEM 5C**

**Date:** October 26, 1998

**To:** Redevelopment Agency Board Members

**From:** Susan F. Shick, Executive Director

**Subject:** Approval of Purchase Agreement for 133 N. Long Beach Boulevard – Downtown Long Beach Redevelopment Project Area

**RECOMMENDED ACTION:**

It is recommended that the Redevelopment Agency Board authorize the Executive Director to execute a Purchase Agreement and complete the necessary documents for the acquisition of property at 133 N. Long Beach Boulevard at a total cost not to exceed \$400,000.

**BACKGROUND:**

In December 1997, the Redevelopment Agency authorized the release of a Request for Qualifications (RFQ) for the development of The Promenade. Included in that RFQ was 224-248 E. Broadway and 133 N. Long Beach Boulevard, a surface parking lot located directly behind the three buildings. The intent of including these properties was to solicit developer interest in their eventual revitalization.

The Los Angeles Council, American Youth Hostel, Inc. (AYH), submitted a proposal to rehabilitate the three buildings for the development of a 200-bed youth hostel. Parking would be accommodated on the surface parking lot at 133 N. Long Beach Boulevard.

In June, the property owners for 133 N. Long Beach Boulevard and the three buildings were sent Owner Participation letters in accordance with the Agency's policy of extending development opportunities to existing property owners. The owners were asked to submit development proposals. None of the owners responded to the Agency's request. As such, the Agency Board approved an Exclusive Negotiation Agreement with the AYH on August 24, 1998 for the eventual development of the site.

AYH contracted with Matlow Kennedy Real Estate Services in August for the acquisition of the subject property. Agency staff agreed to pay any commissions due to Matlow Kennedy if negotiations resulted in the successful purchase of property. Agency staff also contemplated using Agency funds for the acquisition of property, which would allow AYH to direct its own resources toward rehabilitation and construction activities related to the project.

In September, the Agency, through the AYH, made an offer to purchase the surface parking lot from the private owner, Robert Love. Mr. Love has agreed to the sale of the property, which will be assigned to the Redevelopment Agency during escrow. Costs associated with the transaction are as follows:

Land acquisition (less deposit):	\$337,500
Deposit to Open Escrow:	\$ 25,000
Escrow Costs:	\$ 5,000
Commission (6%):	<u>\$ 21,750</u>
Total:	\$389,250

The value of this parcel has been confirmed by an appraisal prepared for the Agency. The length of escrow will be thirty days. Funds for the acquisition of this parcel will come from the Downtown fund balance and tax increment revenues.

The Agency will retain ownership of the parking lot and will transfer ownership to the AYH under the terms of a to-be-negotiated Disposition and Development Agreement. If ownership is transferred to AYH, they intend to use the parcel for surface parking related to their project and for open space and recreation facilities for their visitors.

If negotiations with AYH are not successful, the Agency would retain ownership of this parcel. The Agency also owns the surface parking lot adjacent to this parcel, and would continue to use both parcels for surface parking in the interim. The addition of this parcel to the inventory of Agency-owned parking lots would increase the availability of validated public parking in the Downtown while a new parking structure is being contemplated at First Street and Long Beach Boulevard.

It is recommended that the Redevelopment Agency Board authorize the Executive Director to execute a Purchase Agreement and complete the necessary documents for the acquisition of property at 133 N. Long Beach Boulevard at a total cost not to exceed \$400,000.

Respectfully submitted,

  
SUSAN F. SHICK  
Executive Director

APPROVED:

  
JAMES C. HANKLA  
CITY MANAGER



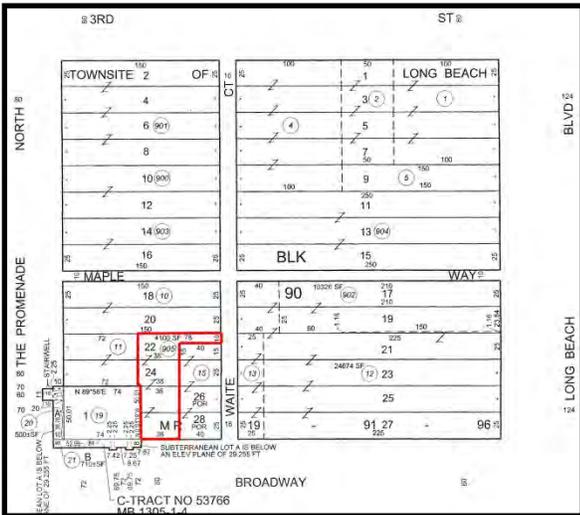
STAFF REPORT UNAVAILABLE

# 127). Edison Theater Development



**Parcel Data:**

Property Type: Commercial  
 Permissible Use: Future Development  
 Property Address: 213 E. Broadway  
 Assessor ID Number(s): 7280-019-905  
 Lot Size (SF): 4,100  
 Zoning: LBPD30  
 Council District: 2  
 Strategic Plan: Downtown Guide for Development



The Edison Theater was acquired to facilitate the rehabilitation and reuse of an existing historic structure. It was subsequently leased to Cal State Long Beach for ten years as a public repertory theater. Cal State vacated the premise due to seismic issues. The Agency was negotiating the sale or long term lease of the property to a private developer for a special event/community performance/conference center space when dissolution occurred. It is the intention of the Successor Agency to resume these negotiations with the developer upon approval of the LRPMP and to require certain public benefits be included in any lease or land conveyance, including the allowance of community performance groups to use the space on a limited basis.



**Successor Agency to the  
 Redevelopment Agency of  
 the City of Long Beach**



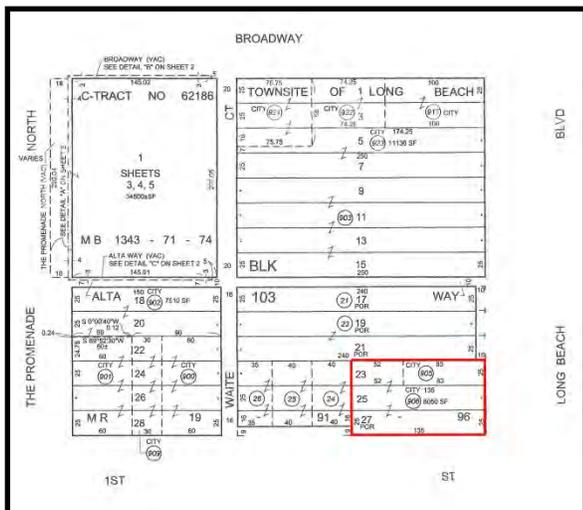
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# 128-129). 1<sup>st</sup> & Long Beach Boulevard



**Parcel Data:**

Property Type:	Parking Lot
Permissible Use:	Sale of Property
Property Address:	101, 107, 111, 155 N. Long Beach Blvd. / 243 E. 1 <sup>st</sup> St.
Assessor ID Number(s):	7280-028-905 & -906
Lot Size (SF):	8,250
Zoning:	LBPD30
Council District:	2
Strategic Plan:	Downtown Guide for Development



These properties were initially acquired to eliminate blight and blighting influences with an anticipation for assembly into developable parcels. The assembly of land was not practical. Therefore, these parcels will be marketed for sale at its highest and best use.



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