

ORDINANCE NO. ORD-06-0051

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2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING, CONFIRMING AND  
5 RATIFYING ORDINANCE NO. HD- 1963 OF THE BOARD OF  
6 HARBOR COMMISSIONERS OF THE CITY OF LONG  
7 BEACH, WHICH AUTHORIZES THE EXECUTION BY THE  
8 EXECUTIVE DIRECTOR OF AN EXCHANGE AGREEMENT  
9 BETWEEN AND AMONG THE CITY OF LONG BEACH, THE  
10 CITY OF LOS ANGELES, THE ALAMEDA CORRIDOR  
11 TRANSPORTATION AUTHORITY AND KONOIKE-PACIFIC  
12 CALIFORNIA, INC., AND MAKING A DETERMINATION  
13 RELATING THERETO

14  
15 WHEREAS, the Board of Harbor Commissioners of the City of Long  
16 Beach has adopted Ordinance No. HD- 1963 on August 14, 2006, a complete copy  
17 of which is attached hereto as Exhibit "A" and incorporated herein by this reference.

18 WHEREAS, Ordinance No. HD- 1963 of the Board of Harbor  
19 Commissioners of the City of Long Beach authorizes the execution by the Executive  
20 Director of the Harbor Department of the City of Long Beach of an Exchange  
21 Agreement between and among the City of Long Beach, the City of Los Angeles, the  
22 Alameda Corridor Transportation Authority, and Konoike-Pacific California, Inc. (the  
23 "Exchange Agreement") and making a determination relating thereto; and

24 WHEREAS, this City Council concurs in the findings of, and wishes to  
25 approve, confirm and ratify the actions taken by, the Board of Harbor Commissioners of  
26 Ordinance No. HD- 1963 ; and

27 WHEREAS, the Director of Planning and Environmental Services for the  
28 Harbor Department has determined and the Board has found and ordained that the

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1 Exchange Agreement is categorically exempt from the provisions of the California  
2 Environmental Quality Act.

3 NOW, THEREFORE, the City Council of the City of Long Beach hereby  
4 finds and ordains as follows:

5 Section 1. The City Council hereby finds and determines that the  
6 Exchange Agreement is categorically exempt from the provisions of the California  
7 Environmental Quality Act.

8 Sec. 2. The City Council of the City of Long Beach hereby concurs in the  
9 findings of, and approves, confirms and ratifies the actions taken by, the Board of  
10 Harbor Commissioners of the City of Long Beach in Ordinance No. HD-1963.

11 Sec. 3. The City Clerk shall certify to the passage of this ordinance by the  
12 City Council and shall cause the same to be posted in three (3) conspicuous places in  
13 the City of Long Beach. This ordinance shall take effect on the later of 31<sup>st</sup> day after its  
14 approval by the Mayor of the City of Long Beach.

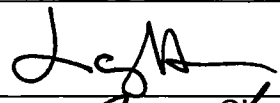
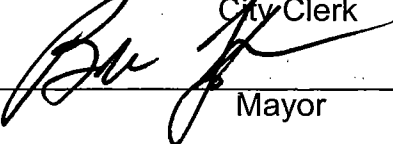
15 I HEREBY CERTIFY that the foregoing ordinance was adopted by the City  
16 Council of the City of Long Beach at its meeting of November 14, 2006 by the following  
17 vote.

18 Ayes: Councilmembers: S. Lowenthal, O'Donnell, Schipske,  
19 Reyes Uranga, Gabelich, Lerch,  
20 B. Lowenthal.

21 Noes: Councilmembers: None.

22 Absent: Councilmembers: DeLong, Richardson.

23  
24  
25  
26 Approved: 11/20/06

27  
28  
  
City Clerk  
  
Mayor

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ORDINANCE NO. HD-1963

AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN EXCHANGE AGREEMENT BETWEEN AND AMONG THE CITY OF LONG BEACH, THE CITY OF LOS ANGELES, THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY AND KONOIKE-PACIFIC CALIFORNIA, INC., AND MAKING A DETERMINATION RELATING THERETO

WHEREAS, the Board of Harbor Commissioners of the City of Long Beach ("Board") desires to enter into a real property Exchange Agreement and Joint Escrow Instructions with the City of Los Angeles, acting by and through its Board of Harbor Commissioners, the Alameda Corridor Transportation Authority, a joint powers authority and Konoike-Pacific California, Inc., a California corporation (the "Exchange Agreement"); and

WHEREAS, guidelines adopted by the Secretary of the California Resources Agency and by the Board, pursuant to Sections 21082-21084 of the California Public Resources Code, provide that certain classes of projects listed therein have been determined not to have a significant effect on the environment and are categorically exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Director of Planning and Environmental Services of the Long Beach Harbor Department has determined that, in accordance with the guidelines, the Exchange Agreement is categorically exempt.

NOW, THEREFORE, the Board of Harbor Commissioners of the City of Long Beach ordains as follows:

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1 Section 1. The Board hereby finds and determines that the Exchange  
2 Agreement, a copy of which is available for inspection in the office of the Executive  
3 Secretary of the Board and by this reference made a part hereof, is categorically  
4 exempt from the provisions of the California Environmental Quality Act.

5 Sec. 2. The Executive Director of the Harbor Department of the City of  
6 Long Beach is hereby authorized to execute the Exchange Agreement referred to in  
7 Section 1, which is hereby approved.

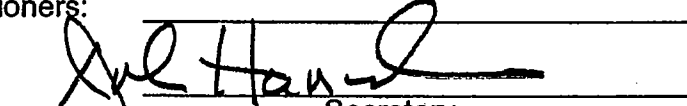
8 Sec. 3. This ordinance shall be signed by the President or Vice President  
9 of the Board and attested to by the Secretary. The Secretary shall certify to the  
10 passage of this ordinance by the Board, shall cause the same to be posted in three (3)  
11 conspicuous places in the City of Long Beach, and shall cause a certified copy of this  
12 ordinance to be filed forthwith with the City Clerk of the City of Long Beach. This  
13 ordinance shall take effect on the 31st day after its final passage.

  
\_\_\_\_\_  
President

14  
15 ATTEST:  
  
\_\_\_\_\_  
Secretary

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17  
18 I hereby certify that the foregoing ordinance was adopted by the Board of  
19 Harbor Commissioners of the City of Long Beach at its meeting of  
20 August 14, 2006 by the following vote:

21	Ayes:	Commissioners:	<u>Topsy-Elvord, Hancock, Cordero,</u>
22			<u>Hankla</u>
23	Noes:	Commissioners:	_____
24	Absent:	Commissioners:	<u>Walter</u>
25	Not Voting:	Commissioners:	_____

26  
27  
28  
  
\_\_\_\_\_  
Secretary