

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH FINDING AND DETERMINING THAT A CREDIT IS DUE AGAINST THE TRANSPORTATION IMPROVEMENT FEE APPLICABLE TO THE CIVIC CENTER PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT REGARDING CREDIT FOR TRANSPORTATION IMPROVEMENTS MADE IN CONNECTION WITH THE CIVIC CENTER PROJECT

WHEREAS, Chapter 18.17 of the Long Beach Municipal Code imposes a Transportation Improvement Fee ("TIF" or "Impact Fee") upon certain new residential and commercial development within the City for purposes of assuring that the transportation level of service goals of the City as set forth in the Traffic Mitigation Program are met with respect to the additional demands placed on the transportation system by traffic generated from such development; and

WHEREAS, the City of Long Beach and Plenary Edgemoor Civic Partners, LLC, the parent company of Edgemoor Infrastructure and Real Estate ("Developer") is constructing the Civic Center Project which consists of a new City Hall, a new Port Building for Harbor Department administration, a new and relocated Main Library, a redeveloped Lincoln Park, a residential development, and a commercial mixed use development ("the Project"); and

WHEREAS, the Transportation Improvement Fee for the Project is \$1,798,713.00; and

WHEREAS, Developer will construct improvements consisting of traffic and street improvements at a cost of \$4,127,827.56 as is more fully set forth in Exhibit "A"; a copy of which is attached hereto and incorporated herein by this reference; and

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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333 West Ocean Boulevard, 11th Floor  
Lona Beach, CA 90802-4664

1                   WHEREAS, Developer seeks offset of the Transportation Improvement Fee  
2 in the amount of \$1,798,713.00; and

3                   WHEREAS, such offset and credit is authorized under Chapter 18.17 of the  
4 Municipal Code; and

5                   WHEREAS, Developer has filed an application for a credit against the  
6 Transportation Improvement Fees in accordance with the requirements of Section  
7 18.17.110 of the Municipal Code, together with sufficient supporting documentation of  
8 certain expenditures related to the Civic Center Project.

9                   NOW, THEREFORE, the City Council of the City of Long Beach ordains as  
10 follows:

11                   Section 1. Having reviewed the Application for Credit filed by the Developer  
12 and all other documentary evidence before it, the City Council hereby finds and  
13 determines that Edgemoor Infrastructure and Real Estate are due a credit in the amount  
14 of \$1,798,713.00 against the Transportation Improvement Fee otherwise payable in  
15 connection with the Project.

16                   Section 2. The City Manager is authorized to execute an agreement with  
17 Edgemoor Infrastructure and Real Estate together with all other documents necessary to  
18 carry out the terms thereof, regarding the construction of certain transportation  
19 improvements in connection with the Civic Center Project in the City of Long Beach.

20                   Section 3. The City Clerk shall certify to the passage of this ordinance by  
21 the City Council and cause it to be posted in three conspicuous places in the City of Long  
22 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of December 22, 2015, by the following vote:

Ayes:	Councilmembers:	<u>Gonzalez, Lowenthal, Uranga,</u> <u>Austin, Richardson.</u>
Noes:	Councilmembers:	<u>None.</u>
Absent:	Councilmembers:	<u>Price, Supernaw, Mungo, Andrews.</u>

*Maria del L. Garcia*  
City Clerk

*[Signature]*  
Mayor

Approved: 12/23/15

# LONG BEACH CIVIC CENTER

## City Hall/Port Building

Magnolia Ave		Total
	Demolition	\$17,283.20
	Sidewalk, and other Concrete Work	\$105,666.39
	Asphalt Paving	\$26,000.00
	Earthwork	\$17,700.80
	Additional SWPPP	\$6,886.10
	Water, storm drain and other utilities	\$32,500.00
	Street trees, soil, irrigation and other Landscape	\$43,898.60
	Electrical	\$26,000.00
	<b>Total Magnolia Ave</b>	<b>\$275,935.08</b>
Ocean Boulevard		Total
	Demolition	\$31,693.21
	Sidewalk, bus pad and other Concrete Work	\$193,766.64
	Asphalt Paving	\$65,000.00
	Earthwork	\$36,480.60
	Additional SWPPP	\$16,526.64
	Water, storm drain, and other utilities	\$45,500.00
	Street trees, soil, irrigation and other Landscape	\$129,492.79
	Signals, and other Electrical	\$154,815.66
	<b>Total Ocean Boulevard</b>	<b>\$673,275.55</b>
Chestnut Ave		Total
	Demolition	\$22,651.13
	Sidewalk, bus pads, corssings and other Concrete Work	\$138,484.97
	Asphalt Paving	\$178,886.50
	Earthwork	\$72,703.96
	Additional SWPPP	\$45,448.26
	Water, storm drain, and other utilities	\$469,215.50
	Street trees, soil, irrigation and other Landscape	\$53,187.97
	Signals, street lights and other Electrical	\$65,000.00
	<b>Total Chestnut Ave</b>	<b>\$1,045,578.28</b>
	<b>Total City Hall/Port Building</b>	<b>\$1,994,788.91</b>

## Lincoln Park/Library

Broadway		Total
	Demolition	\$9,254.64
	Sidewalk, crossing and other Concrete Work	\$55,052.45
	Asphalt Paving	\$12,645.36
	Earthwork	\$23,794.68
	Additional SWPPP	\$7,820.54

EXHIBIT A

	Water, storm drain, and other utilities	\$129,784.24
	Street trees, soil, irrigation and other Landscape	\$8,190.00
	Electrical	\$42,105.70
	Total Broadway	\$288,647.61
<b>Pacific Avenue</b>		<b>Total</b>
	Demolition	\$26,441.83
	Sidewalk, bus pads, corssings and other Concrete Work	\$157,292.72
	Asphalt Paving	\$36,129.60
	Earthwork	\$67,984.80
	Additional SWPPP	\$22,344.40
	Water, storm drain, and other utilities	\$249,585.07
	Street trees, soil, irrigation and other Landscape	\$23,400.00
	Electrical	\$120,302.00
	Total Pacific Avenue	\$703,480.42
<b>Ocean Boulevard</b>		<b>Total</b>
	Demolition	\$13,881.96
	Sidewalk and other Concrete Work	\$82,578.68
	Asphalt Paving	\$18,968.04
	Earthwork	\$35,692.02
	Additional SWPPP	\$11,730.81
	Water, storm drain, and other utilities	\$359,402.50
	other Landscape	\$12,285.00
	other Electrical	\$63,158.55
	Total Ocean Boulevard	\$597,697.56
<b>Cedar Avenue</b>		<b>Total</b>
	Demolition	\$16,526.14
	Sidewalk,crossings and other Concrete Work	\$98,307.95
	Asphalt Paving	\$22,581.00
	Earthwork	\$42,490.50
	Additional SWPPP	\$13,965.25
	Water, storm drain, and other utilities	\$259,568.47
	Street trees, soil, irrigation and other Landscape	\$14,625.00
	Street lights and other electrical	\$75,188.75
	Total Cedar Avenue	\$543,253.06
<b>Total Lincoln Park/Library</b>		<b>\$2,133,078.65</b>
<b>GRAND TOTAL</b>		<b>\$4,127,867.56</b>

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA ) ss  
COUNTY OF LOS ANGELES )  
CITY OF LONG BEACH )

Karen Moore being duly sworn says: That I am employed in the Office of the City Clerk of the City of Long Beach; that on the 23rd day of December, 2015, I posted three true and correct copies of Ordinance No. ORD-15-0042 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies on the front counter of the Office of the City Clerk.

  
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Subscribed and sworn to before me  
this 23rd day of December, 2015.

  
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CITY CLERK