



## Legislation Text

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**File #:** 08-1028, **Version:** 2

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Recommendation to declare ordinance amending Ordinance Nos. C-7412 and C-7912 and approving and adopting the Second Amendment to the Redevelopment Plan for the North Long Beach Redevelopment Project, read and adopted as read. (Districts 1,3,5,6,7,8,9)

On September 15, 2008, the Long Beach Redevelopment Agency (Agency) held a public hearing to listen to testimony and receive comments on the adoption of the Second Amendment to the Redevelopment Plan for the North Long Beach Redevelopment Project (Second Amendment) and the Negative Declaration prepared for the Second Amendment.

At the close of the hearing the Agency considered and adopted the following:

- . Resolution of the Redevelopment Agency of the City of Long Beach approving a Negative Declaration for the Second Amendment to the Redevelopment Plan for the North Long Beach Redevelopment Project;
- . Resolution of the Redevelopment Agency of the City of Long Beach approving and adopting the Report to the City Council on the Second Amendment to the Redevelopment Plan for the North Long Beach Redevelopment Project, and submitting said Report and Second Amendment to the City Council; and
- . Resolution of the Redevelopment Agency of the City of Long Beach approving the Second Amendment to the Redevelopment Plan for the North Long Beach Redevelopment Project.

On September 16, 2008, the City Council also held a public hearing to hear testimony and receive comments on the Second Amendment and the Negative Declaration. The Second Amendment would extend the Agency's authority to use eminent domain for another twelve years throughout the North Long Beach Redevelopment Project Area with the exclusion of the majority of Sub-Area 5, which comprises the Port of Long Beach (Port). The previous authority to acquire property by eminent domain in the North Long Beach Redevelopment Project Area expired on July 16, 2008.

As a result of the passage of Proposition 99 in June 2008, the Agency is prohibited from acquiring single-family residences that have been occupied by the owner for more than one year for the purpose of transferring that property to a private entity. In addition, as provided in Section 424 of the existing Redevelopment Plan, the Agency may issue certificates of conformance that would prohibit the Agency from acquiring property by eminent domain so long as the property is used and maintained in accordance with the Redevelopment Plan. Certificates of conformance can be issued at anytime; this includes following the adoption of the Second Amendment.

The Agency and the City Council received two letters of written objections regarding the Second Amendment from property owners in the Project Area (Exhibit A-Written Objections). Since these

written objections from property owners in the Project Area were received, a response must be prepared to each objection and considered in conjunction with the Second Amendment and related actions. Responses to written objections have been prepared and are attached to the City Council resolution adopting findings in response to those written objections. With the adoption of the written responses, the City Council may continue with the other actions related to the adoption of the Second Amendment and approval of the Negative Declaration.

This letter was reviewed by Assistant City Attorney Heather A. Mahood on September 18, 2008, and by Budget Management Officer Victoria Bell on September 22, 2008.

City Council action is requested on October 7, 2008, in order to renew the Agency's authority to acquire property through eminent domain as soon as possible. If the City Council adopts the Ordinance for the Second Amendment to the Redevelopment Plan, then on October 14, 2008, the City Council will consider the second reading of the Ordinance adopting the Second Amendment that will be the final action in the approval and adoption of the Second Amendment.

There is no fiscal impact associated with this recommendation.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING  
ORDINANCE NOS. C7412 AND C-7912 AND APPROVING AND ADOPTING THE SECOND  
AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE NORTH LONG BEACH  
REDEVELOPMENT PROJECT

CRAIG BECK  
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NAME  
TITLE

APPROVED:

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CITY MANAGER