



## Legislation Details (With Text)

|                       |   |                      |   |              |  |
|-----------------------|---|----------------------|---|--------------|--|
| <b>File #:</b>        | 19-1144   | <b>Version:</b>      | 1 | <b>Name:</b> | DS - Refund to W.E. O'Neil for property located at 6400 PCH D3 |
| <b>Type:</b>          | Agenda Item   | <b>Status:</b>       |   |              | Approved   |
| <b>File created:</b>  | 10/30/2019  | <b>In control:</b>   |   |              | City Council   |
| <b>On agenda:</b>     | 11/19/2019  | <b>Final action:</b> |   |              | 11/19/2019   |
| <b>Title:</b>         | Recommendation to authorize Department of Development Services to process a refund in the amount of \$299,868 to W.E. O'Neil for the property at 6400 Pacific Coast Highway. (District 3) |                      |   |              |  |
| <b>Sponsors:</b>      | Development Services  |                      |   |              |  |
| <b>Indexes:</b>       |   |                      |   |              |  |
| <b>Code sections:</b> |   |                      |   |              |  |
| <b>Attachments:</b>   | 1. 111919-C-3sr.pdf   |                      |   |              |  |

| Date       | Ver. | Action By    | Action                 | Result |
|------------|------|--------------|------------------------|--------|
| 11/19/2019 | 1    | City Council | approve recommendation | Pass   |

Recommendation to authorize Department of Development Services to process a refund in the amount of \$299,868 to W.E. O'Neil for the property at 6400 Pacific Coast Highway. (District 3)

On September 18, 2019, W.E. O'Neil paid \$526,749 to cover developer impact fees related to permits for the new commercial construction at 6400 Pacific Coast Highway, which is part of the development project known as 2<sup>nd</sup> and PCH. Due to a miscalculation, the applicant was overcharged \$299,868 and should receive a refund in that amount.

In accordance with the Long Beach Municipal Code Section 3.48.040, which requires that refunds exceeding \$10,000 be approved by the City Attorney and the City Council, authorization to process the refund is requested on behalf of the applicant.

This matter was reviewed by Assistant City Attorney Michael J. Mais on October 24, 2019 and by Budget Analysis Officer Julissa José-Murray on October 29, 2019.

City Council action is requested on November 19, 2019, to expedite processing of the refund.

The \$299,868 in developer impact fees will be refunded from the Capital Projects Fund Group in the following departments and amounts:

- Fire Department (Fire Facilities Impact Fee) - \$21,408
- Police Department (Police Facilities Impact Fee) - \$35,865
- Public Works Department (Transportation Improvement Fee) - \$242,595

The Development Services Department collected the fees and is requesting the refund on behalf of All the City departments involved. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

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LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

THOMAS B. MODICA  
ACTING CITY MANAGER