



Legislation Text

File #: 11-0016, **Version:** 1

Recommendation to adopt resolution declaring the intention to establish Community Facilities District No. 2011-1 (Douglas Park - North of Cover Street Area - Services Levy); initiate proceedings to levy special taxes; approve boundaries and rate and method of apportionment of special taxes; establish voting procedure; and set the date for a public hearing for Tuesday, January 18, 2011 at 5:00 p.m. (District 5)

The City and The Boeing Company are parties to a Douglas Park Amended and Restated Development Agreement (Amended DA). Section 8.23.2.3 of the Amended DA provides for the formation of a Community Facilities District (CFD) by the City to include land north of Cover Street in the Douglas Park area of the city, which will finance certain municipal services described in the Amended DA. All of the property proposed to be included in the new CFD is currently owned by The Boeing Company.

The Long Beach Special Tax Financing Improvement Law, as contained in the Long Beach Municipal Code, governs the formation of the CFD by the City Council. On December 21, 1999, the City Council adopted Local Goals and Policies for CFDs related to commercial development. The Special Tax Financing Improvement Law provides a mechanism to form a CFD to finance municipal services. Once formed, a CFD may finance specified services through payment of a special tax levied against the owners of land within the CFD. These special taxes are then used to pay for any authorized municipal service and any expenses associated with the administration of the CFD.

The proposed boundary map, on file with the City Clerk as outlined in Exhibit C of the Resolution, for the proposed CFD shows the parcels to be included in the CFD, all of which are owned by The Boeing Company.

Adoption of the attached Resolution declares the City Council's intention to initiate the CFD formation proceedings and sets the date of public hearing on the CFD for January 18, 2011 at 5:00 p.m. The Resolution describes the proposed boundaries of the CFD, the proposed special taxes to be levied on property within those boundaries, designates the law firm of Quint & Thimmig, LLP, as counsel to assist with the formation of the CFD, authorizes the City Attorney to enter into an agreement with said firm for its services related to the CFD, and directs the City Clerk to publish a Notice of the Public Hearing. The Resolution Exhibits describe the services that would be eligible to be funded by the CFD, and sets forth the rate and method of apportionment of special taxes to be levied on property in the CFD.

Immediately following the January 18, 2011 public hearing, it is expected that an election will be called at which time the sole landowner in the proposed CFD will vote on the establishment of the CFD and the levy of the special tax.

This item was reviewed by Assistant City Attorney Heather A. Mahood on December 16, 2010 and Budget Management Officer Victoria Bell on December 17, 2010.

City Council action on this item is requested on January 4, 2011, to support the formation of the CFD, so that the CFD can be in place before The Boeing Company sells any of the land it owns within the CFD.

There is no fiscal impact to the General Fund associated with the requested action. All revenue from the CFD will be collected in, and expended from, a CFD trust account. All expenses related to the formation of the CFD will be paid for by The Boeing Company, as provided in Section 8.23.2.3 of the Amended DA. The local job impact that may result from the formation of the CFD is unknown at this time.

Approve recommendation.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DECLARING ITS INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THERIN - DOUGLAS PARK NORTH OF COVER STREET AREA - SERVICES LEVY.

ERIK SUND
ACTING DIRECTOR OF FINANCIAL MANAGEMENT

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER