



Legislation Text

File #: 11-0040, **Version:** 1

Adopt resolution declaring the results of the special election and directing recording of a first amendment to the Notice of Special Tax Lien for Improvement Area B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park - Commercial Area). (District 5)

In 2007, under the provisions of the Long Beach Special Tax Financing Improvement Law (Chapter 3.52 of Division V of the Long Beach Municipal Code), the City Council formed Improvement Area B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park - Commercial Area) (Improvement Area) to provide a means to finance certain public improvements and municipal services in a portion of the Douglas Park area south of Cover Street. The City is authorized to levy a special tax on property located in the Improvement Area (all of which is currently owned by The Boeing Company) to pay costs of specified facilities and services.

On May 26, 2010, the City entered into a Douglas Park Amended and Restated Development Agreement (Amended DA) with The Boeing Company, which allows for the services authorized to be funded by the Improvement Area to be altered to increase the area in which the services can be provided, and to remove a requirement that the services be in addition to those provided in the Improvement Area prior to the formation of the Improvement Area. City staff and representatives of The Boeing Company have agreed upon a planned implementation of the applicable provisions of the Amended DA that pertain to the Improvement Area.

On January 4, 2011, the City Council adopted a Resolution of consideration to alter the description of the services authorized to be funded in and adjacent to the Improvement Area. That resolution called for a public hearing on the matter by the City Council at the January 18, 2011 City Council meeting. It is recommended that the City Council hold the public hearing regarding the proposed alteration of the description of the services authorized to be funded by the Improvement Area, and take testimony of any person desiring to speak on the matter.

Following the conduct of the public hearing, it is recommended that the City Council adopt a Resolution calling for a special election regarding the proposed alteration of the description of the services authorized to be funded by the Improvement Area. Because The Boeing Company owns all of the land in the Improvement Area, it is the only voter in the election, and the resolution authorizes and directs the City Clerk to conduct the election. The ballot for the election has already been sent to and returned by The Boeing Company, and it is expected that the election will be held and canvassed immediately following the adoption of the Resolution calling for the election.

Following the canvass of the election, it is recommended that the City Council adopt a Resolution declaring the results of the election and directing recordation of a first amendment to the Notice of Special Tax Lien for the Improvement Area. The amendment to the Notice of Special Tax Lien will place the public on notice of the authority of the Improvement Area to fund any of the services included in the revised description of the services for the Improvement Area.

This matter was reviewed by Assistant City Attorney Michael J. Mais on December 30, 2010 and Budget Management Officer Victoria Bell on December 29, 2010.

City Council action on this item is requested on January 18, 2011, so that the alteration of the description of the services can be completed as contemplated by the Amended DA.

There is no fiscal impact to the General Fund associated with the requested action. Payment of the costs of services to be provided by the Improvement Area, and of outside counsel fees associated with the alteration proceedings, will be paid from proceeds of special tax levies in the Improvement Area, which special taxes are to be paid by the owner of the property in the Improvement Area. This action is not expected to have a significant impact on local jobs.

Approve recommendation.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DECLARING RESULTS OF SPECIAL ELECTION IN IMPROVEMENT AREA B OF THE CITY OF LONG BEACH COMMUNITY FACILITIES DISTRICT NO. 2007-1 (DOUGLAS PARK -- COMMERCIAL AREA), DETERMINING THAT ALTERATION OF THE SERVICES TO BE FUNDED BY THE IMPROVEMENT ARE IS LAWFULLY AUTHORIZED, AND DIRECTING RECORDING OF A FIRST AMENDMENT TO NOTICE OF SPECIAL TAX LIEN.

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APPROVED:

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CITY MANAGER