

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0022

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH MAKING CERTAIN FINDINGS
REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC
IMPROVEMENTS WITH REDEVELOPMENT FUNDS
(PROMENADE IMPROVEMENTS)

WHEREAS, the City Council of the City of Long Beach adopted and approved a certain Redevelopment Plan (the "Redevelopment Plan") for the West Beach Redevelopment Project (the "Project"); and

WHEREAS, in furtherance of the Project and the immediate neighborhood in which the Project is located, the Redevelopment Agency of the City of Long Beach, California (the "Agency"), has recognized the need for certain public improvements, which improvements will be located adjacent to the boundaries of the Project, and proposes to use redevelopment funds to finance the improvements; and

WHEREAS, Section 33445 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) requires the Agency to make certain findings prior to the acquisition of land and construction of public improvements or facilities thereon; and

WHEREAS, Section 33678 of the Community Redevelopment Law provides that under certain conditions tax increment funds shall not be subject to the appropriations limitation of Article XIIB of the California Constitution;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The City Council determines that the construction of public improvements, more particularly described in Exhibit "A", are of benefit to the Project and the immediate neighborhood in which the Project is located. This finding is supported by

1 the following facts:

2 These improvements will assist in the removal of blight by providing
3 useable open space for downtown employees and residents, improving pedestrian safety
4 and flow through the downtown, and promoting business attraction along The Promenade
5 and nearby streets.

6
7 Section 2. The City Council determines that no other reasonable means
8 of financing the above-described improvements are available to the community. This
9 finding is supported by the following facts:

10 Before the passage of Proposition 13, most of the City's general operating
11 and capital improvements were funded through property taxes. However, the initiative
12 placed severe constraints on the City's ability to use property tax revenues to offset
13 increases in operating and capital costs. It has also been difficult for the City, by itself, to
14 provide sufficient funds to support the construction of major public improvements. In
15 fiscal year 2008-2009, the limited resources of the City's General Fund are committed to
16 previously incurred obligations and planned projects.

17
18 Section 3. The City Council further determines that the payment of funds
19 for the construction of the public improvements will assist in the elimination of one or
20 more blighting conditions within the Project, and is consistent with the implementation
21 plan adopted pursuant to Health and Safety Code Section 33490.

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23 Section 4. This resolution shall take effect immediately upon its adoption
24 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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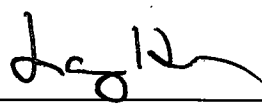
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of March 24, 2009 by the following vote:

Ayes: Councilmembers: S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong, Gabelich.



City Clerk

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EXHIBIT "A"

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The improvement of The Promenade including new paving, lighting, landscaping, public art, pedestrian seating and similar improvements within the area described in Exhibit A-1.

Exhibit A-1

