



CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

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GERALD R. MILLER
CITY MANAGER

November 16, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Public Hearing Declaring the City Council to be the Redevelopment Agency – Citywide

DISCUSSION

On August 25, 2004, the City Manager sent a memorandum to the Mayor and City Council that discussed their role in the redevelopment process. It described his concerns regarding the lack of progress in redevelopment project areas, the disconnect between City Council interest and the direction of the Agency Board and the fact that the City Council is held responsible for redevelopment policy but has little authority over it (Exhibit A). The memorandum suggested that the City Council consider becoming the Agency Board.

On October 19, 2004, the City Council decided to hold a public hearing on November 9 or after to discuss the advantages and disadvantages of the City Council declaring itself to be the Redevelopment Agency. The hearing was scheduled for November 16, 2004 at which time, after listening to public testimony and discussing the matter, the City Council may request the City Attorney to prepare an ordinance declaring the City Council to be the Redevelopment Agency.

Legal Requirements

Community Redevelopment Law (CRL) Section 33200 (b) describes the process that is required for a city council to declare itself the redevelopment agency if an appointed agency board has been in existence for more than three years. The following steps are required:

- Publish the public hearing notice during the 10 days prior to the public hearing.
- Post the public hearing notice throughout the redevelopment project areas at least 10 days before the public hearing.

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- Mail the public hearing notice to persons who have expressed interest in receiving information on redevelopment activities.
- Prepare a report explaining the determination that the City Council will declare itself the Redevelopment Agency.
- Hold a public hearing.
- Approve an ordinance declaring the City Council to be the Redevelopment Agency.

As part of the City Council's Ordinance, it must make findings that: (1) the action will serve the public interest and promote the public safety and welfare in a more effective manner than the current appointed Redevelopment Agency Board; and (2) there has been a full public disclosure of all reports and proposals relating to the City Council's intent to declare itself the Redevelopment Agency.

The noticing requirements for the public hearing have been met (Exhibit B) and the report explaining the determination has been prepared and is attached as Exhibit C. All of the legal prerequisites for the public hearing have been met. After the public hearing, the City Council could request the City Attorney to prepare an Ordinance declaring the City Council to be the Redevelopment Agency.

Effective Date

Ordinances usually take effect 30 days after the second reading. If the City Council requests the preparation of the Ordinance on November 16, 2004, it could approve the Ordinance on November 23, 2004, and have the second reading on December 7, 2004. The Ordinance would take effect, and the City Council would be the Redevelopment Agency, on January 6, 2005. The City Council could hold its first meeting as the Redevelopment Agency at its January 11, 2005, regular meeting date.

Role of the Mayor

In most communities where the city council is the redevelopment agency, the Mayor serves as the chair of the redevelopment agency. The proposed Ordinance would include the Mayor as Chair of the Redevelopment Agency and a nonvoting member of the Board. It is also suggested that the Vice Mayor serve as the Vice Chair.

This letter was reviewed by Assistant City Attorney Heather Mahood on November 3, 2004, and Budget Management Officer David Wodynski on November 4, 2004.

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TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

The assumption of redevelopment authority by the City Council will have no fiscal impact assuming Agency operations remain the same. Additional fiscal impacts will be evaluated at a later time.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Receive supporting documentation into the public record, conclude the public hearing and request the City Attorney to prepare an Ordinance declaring the City Council to be the Redevelopment Agency; or
2. Receive and file this report.

Respectfully submitted,



GERALD R. MILLER
CITY MANAGER

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Attachments: Exhibit A – City Manager Memorandum
Exhibit B – Public Hearing Notice
Exhibit C – Report