

ORDINANCE NO. C-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH FINDING AND DETERMINING THAT A FURTHER CREDIT IS DUE AGAINST THE TRANSPORTATION IMPROVEMENT IMPACT FEE APPLICABLE TO THE CSULB FOUNDATION TECHNOLOGY PARK LOCATED AT 2000 WEST NINETEENTH STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT REGARDING CREDIT FOR TRANSPORTATION IMPROVEMENTS MADE TO PACIFIC COAST HIGHWAY FROM COTA AVENUE TO NINETEENTH STREET

WHEREAS, Chapter 18.17 of the Long Beach Municipal Code imposes a transportation improvement fee upon certain new residential and commercial development within the City for purposes of assuring that the transportation level of service goals of the City as set forth in the Traffic Mitigation Program are met with respect to the additional demands placed on the transportation system by traffic generated from such development; and

WHEREAS, the California State University, Long Beach Foundation ("CSULB Foundation") is constructing the CSULB Foundation Technology Park ("the Project"), and;

WHEREAS, the first phase of the Project consisted of five buildings totaling 172,748 square feet, at 2000 West Nineteenth Street in the City of Long Beach ("the Project"); and

WHEREAS, the transportation improvement fee for the first phase was \$190,028.28; and

1 WHEREAS, CSULB Foundation has constructed road improvements
2 consisting of widening Pacific Coast Highway from Cota Avenue to Nineteenth Street,
3 at a cost of \$332,869.47; and

4 WHEREAS, CSULB Foundation sought and the City Council granted a
5 partial offset of the transportation improvement fee in the amount of \$190,028.28 on
6 April 1, 2003, leaving a positive credit balance of \$142,831.19; and

7 WHEREAS, CSULB Foundation is now constructing the second phase of
8 the Project, consisting of two additional buildings, and is responsible for an additional
9 transportation improvement fee in the amount of \$92,750.90 for that second phase; and

10 WHEREAS, CSULB Foundation has performed landscape improvements
11 at cost of \$63,784.88, for which it seeks a further offset of the transportation
12 improvement fee; and

13 WHEREAS, after the additional fee is imposed and an offset is allowed,
14 CSULB Foundation will have a positive credit balance of \$113,865.17, and;

15 WHEREAS, CSULB Foundation intends to apply for a further offset based
16 on additional improvements when further construction occurs at the same location; and

17 WHEREAS, such offset and credit is authorized under Section 18.17 of
18 the Municipal Code; and

19 WHEREAS, CSULB Foundation has filed an application for a credit
20 against the transportation improvement fee in accordance with the requirements of
21 Section 18.17.110 of the Municipal Code, together with sufficient supporting
22 documentation.

23
24 NOW, THEREFORE, the City Council of the City of Long Beach ordains
25 as follows:
26

27 Section 1. Having reviewed the Application for Credit filed by CSULB
28 Foundation and all other documentary evidence before it, the City Council hereby finds

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 and determines that CSULB Foundation is due a credit in the amount of \$63,784.00
2 against new transportation improvement fees in the amount of \$92,750.90 otherwise
3 payable in connection with the Project, leaving a positive credit balance of \$113,865.17.
4

5 Sec. 2. The City Manager is authorized to execute an agreement with
6 CSULB Foundation together with all other documents necessary to carry out the terms
7 thereof, regarding the construction of certain transportation-related improvements at
8 2000 West Nineteenth Street in the City of Long Beach.
9

10 Sec. 3. The City Clerk shall certify to the passage of this ordinance by the
11 City Council and cause it to be posted in three conspicuous places in the City of Long
12 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.
13

14 I hereby certify that the foregoing ordinance was adopted by the City
15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 Council of the City of Long Beach at its meeting of _____,
2 200__, by the following vote:

3
4 Ayes: Councilmembers: _____
5 _____
6 _____
7 _____

8 Noes: Councilmembers: _____
9 _____

10 Absent: Councilmembers: _____
11 _____

12
13
14 _____
15 City Clerk

16
17 Approved: _____
18 (Date) _____
19
20
21
22
23
24
25
26
27
28

LPM:et

11/19/04; 12/03/04

04-05294

L:\APPS\CityLaw\32\WPDOCS\ID019\P004\00067605.WPD