

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

1 RESOLUTION NO. RES-08-0006

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH MAKING CERTAIN FINDINGS  
5 REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC  
6 IMPROVEMENTS WITH REDEVELOPMENT FUNDS  
7 (SCHERER PARK)

8  
9 WHEREAS, the City Council of the City of Long Beach adopted and  
10 approved a certain Redevelopment Plan (the "Redevelopment Plan") for the North Long  
11 Beach Redevelopment Project Area (the "Project"); and

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

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

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

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

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

1 the following facts:

2           Public improvements in general facilitate the removal of blight and  
3 help create a safe, more cohesive and economically dynamic community.  
4 Development of general park improvements, including recreational  
5 facilities, public parking, open space improvements and public art, assist in  
6 removal of blight within densely populated neighborhoods currently  
7 underserved with these types of amenities. The City, public and business  
8 community will significantly benefit from the proposed park improvements  
9 and any other appurtenants necessary for the aforementioned  
10 improvements. Residents of the surrounding populated neighborhoods are  
11 currently underserved in terms of open space, after school activities, senior  
12 services and general recreational opportunities. These public  
13 improvements will help to create a more positive and nurturing environment  
14 within North Long Beach neighborhoods, as well as contribute towards a  
15 feeling of community.

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

19           Before the passage of Proposition 13, most of the City's general  
20 operating and capital improvements were funded through property taxes.  
21 However, the initiative placed severe constraints on the City's ability to  
22 use property tax revenues to offset increases in operating and capital  
23 costs. It has also been difficult for the City, by itself, to provide sufficient  
24 funds to support the construction of major public improvements. In fiscal  
25 year 2007-2008, the limited resources of the City's General Fund are  
26 committed to previously incurred obligations and planned projects.

27           Section 3. The City Council further determines that the payment of funds  
28 for the construction of the public improvements will assist in the elimination of one or

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more blighting conditions within the Project, and is consistent with the implementation plan adopted pursuant to Health and Safety Code Section 33490.

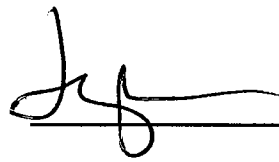
Section 4. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of January 15, 2008 by the following vote:

Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,  
Andrews, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: B. Lowenthal, Schipske, Reyes Uranga.

  
\_\_\_\_\_  
City Clerk

HAMA:fl  
12/17/07  
#07-06021

EXHIBIT "A"

DESCRIPTION OF PUBLIC IMPROVEMENTS

Improvements to Scherer Park, including, but not limited to, facility upgrades and new construction.