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RESOLUTION NO. RES-05-0071

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH DECLARING INTENTION TO
SUBSTITUTE FACILITIES IN COMMUNITY FACILITIES
DISTRICT NO. 1 (BELMONT SHORE)

WHEREAS, the City Council of the City of Long Beach (hereinafter referred to as the "legislative body of the local Agency"), has previously established a community facilities district pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); said Community Facilities District is designated as Community Facilities District No. 1 (Belmont Shore) (hereinafter referred to as the "District"); and

WHEREAS, the District was formed for the specific purpose of providing the acquisition and improvement of public parking spaces, together with appurtenant work as necessary, to make parking available to the commercial properties within the Belmont Shore area and specifically within the boundaries of the District; and

WHEREAS, at this time there has been a map presented that shows the substitution of certain parcels that would provide alternates from those as previously approved, but would still be providing parking for the commercial properties within the boundaries of the District; and

WHEREAS, the Report of the Special Tax Consultant as previously approved specifically authorized and provided for the substitution of facilities as long as the facilities did provide a service and improvement substantially similar to those as previously approved;

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

1 Section 1. That the public interest and convenience requires that this
2 legislative body consider a substitution of parking facilities, which said substitution will
3 still make parking available to the commercial properties within the boundaries of the
4 District.

5 A map of the parcels considered for substitution is attached as Exhibit "A"
6 hereto.

7 Sec. 2. That the map as presented showing the parcels proposed
8 for substitution is hereby approved and adopted, and a copy shall remain open for
9 public inspection in the office of the City Clerk.

10 Sec. 3. Notice is given that on September 13, 2005, at the hour of
11 5:00 p.m., in City Hall, a public hearing will be held where the City Council will consider
12 the substitution of facilities in Community Facilities District No. 1 and all other matters
13 as set forth in this resolution. That at the above-mentioned time and place for public
14 hearing, any persons interested, including taxpayers and property owners may appear
15 and be heard, and that the testimony of all interested persons for or against the
16 substitution of facilities, will be heard and considered. Any protests may be made orally
17 or in writing. However, any protests pertaining to the regularity or sufficiency of the
18 proceedings shall be in writing and clearly set forth the irregularities and defects to
19 which the objection is made. All written protests shall be filed with the City Clerk on or
20 before the time fixed for the public hearing. Written protests may be withdrawn in
21 writing at any time before the conclusion of the public hearing.

22 If a written majority protest against the substitution of facilities is filed, the
23 proceedings shall be abandoned. If said majority protest is limited to certain facilities,
24 those facilities shall be eliminated by the City Council.

25 Sec. 4. That there will be no increase, modification or amendment in
26 the special taxes as previously authorized, approved and levied by reason of the
27 substitution of facilities.

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MAP OF FACILITIES COMMUNITY FACILITIES DISTRICT NO. 1 CITY OF LONG BEACH (BELMONT SHORE) COUNTY OF LOS ANGELES STATE OF CALIFORNIA

- Belmont Shore Community Facilities District
- - - Belmont Shore Parking Meter Revenue Area

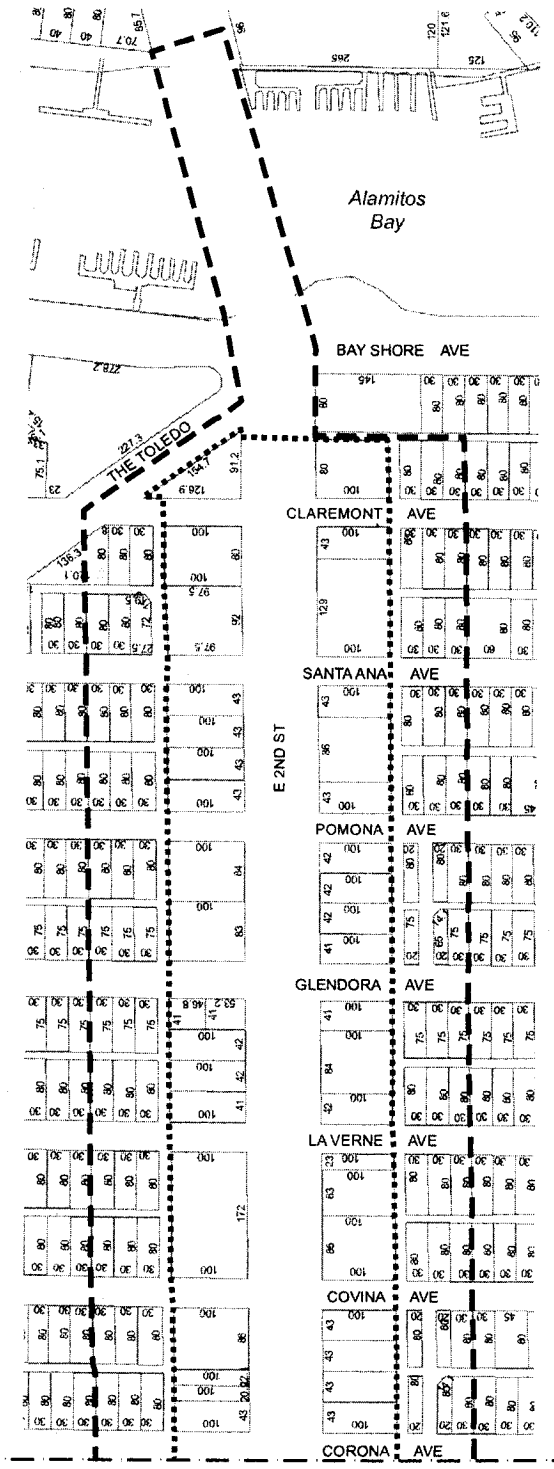
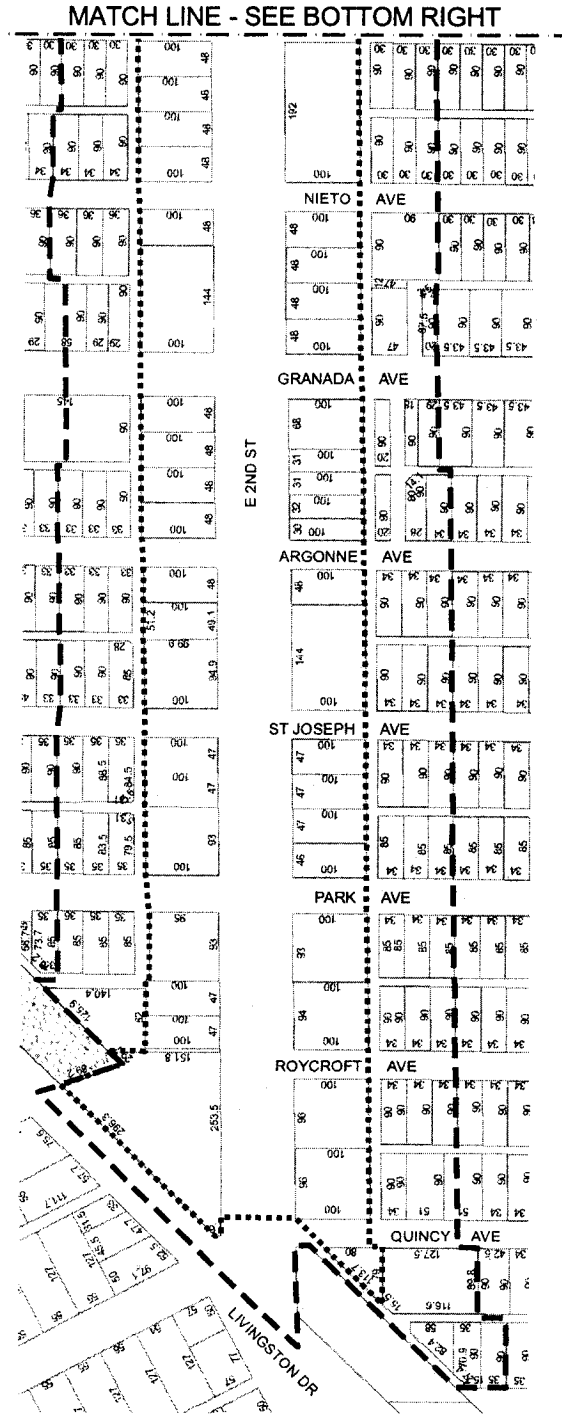


EXHIBIT A

Dept of Technology Services
GIS CMU - sbd 6/21/05