



CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

May 8, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached resolutions making certain findings regarding the construction of certain public improvements with funds from the West Beach and Downtown Redevelopment Project Areas. (Districts 1 and 2)

DISCUSSION

In cooperation with affected developers, downtown stakeholders, and City staff, the Redevelopment Agency (Agency) has prepared an Open Space Master Plan for The Promenade (Master Plan). The Master Plan lays out the design for more than three blocks of The Promenade from Ocean Boulevard to the north side of Third Street, and includes public art, seating, lighting, landscaping, water features, and renovation of the amphitheater at the northeast corner of The Promenade and First Street. In addition to financial contributions from developers along The Promenade, the Agency has secured a grant from the Metropolitan Transportation Authority (MTA) and allocated Redevelopment funds for the construction of The Promenade improvements to ensure the improvements achieve the level and quality envisioned by the Master Plan (Exhibit A).

California Redevelopment Law provides that the Agency may, with the consent of the City Council, pay for public improvements that are publicly owned either within or outside of a redevelopment project area if the City Council determines all of the following:

- That the construction of such public improvements are of benefit to the redevelopment project area or the immediate neighborhood in which the public improvement project is located;
- That no other reasonable means of financing the public improvements are available to the community; and

- That the payment of Agency funds for the construction of the public improvements will assist in the elimination of one or more blighting conditions within the project area.

Resolutions making the necessary findings regarding the construction of these public improvements with redevelopment funds from the Downtown and West Beach Redevelopment Project Areas are attached. Construction of improvements to The Promenade from Ocean Boulevard to the north side of Third Street will assist in the removal of blight by providing useable open space for downtown employees and residents, improving pedestrian safety and promoting business attraction.

This letter was reviewed by Assistant City Attorney Heather A. Mahood on April 16, 2007, and Budget and Performance Management Bureau Manager David Wodynski on April 26, 2007.

TIMING CONSIDERATIONS

City Council action is requested on May 8, 2007, in order to initiate the transactions.

FISCAL IMPACT

The General Fund (GP) will not be impacted by the design and construction of The Promenade Open Space Master Plan. Design and construction funds come from developer contributions (\$2,511,336), an MTA grant (\$390,000) and Redevelopment funds (RD) (\$2,652,000), which total \$5,553,336.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
DIRECTOR OF COMMUNITY DEVELOPMENT

PHW:CB:LAF:laf

Attachments: Exhibit A
Resolutions

APPROVED:


for GERALD R. MILLER
CITY MANAGER

EXHIBIT A
Estimated Funding Sources and Costs
for Improvements to The Promenade

Funding Sources	<u>Streetscape</u>	<u>Public Art</u>	<u>Amphitheater</u>	<u>Total</u>
Developer Contributions	\$1,288,336	\$923,000	\$300,000	\$2,511,336
West Beach (bond proceeds and tax increment)	1,900,000			1,900,000
Downtown (tax increment)	0	177,000	575,000	752,000
MTA Grant	390,000	0	0	390,000
Total Funding	<u>\$3,578,336</u>	<u>\$1,100,000</u>	<u>\$875,000</u>	<u>\$5,553,336</u>
 Costs	 <u>\$3,509,451</u>	 <u>\$1,100,000</u>	 <u>\$875,000</u>	 <u>\$5,484,451</u>

1 RESOLUTION NO.

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 (PROMENADE RIGHT-OF-WAY AND AMPHITHEATER
8 IMPROVEMENTS)

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

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

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

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

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

27 Section 1. The City Council determines that the construction of public
28 improvements, more particularly described in Exhibit "A", are of benefit to the Project

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

1 and the immediate neighborhood in which the Project is located. This finding is
2 supported by the following facts:

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

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

11 Before the passage of Proposition 13, most of the City's general
12 operating and capital improvements were funded through property taxes.
13 However, the initiative placed severe constraints on the City's ability to
14 use property tax revenues to offset increases in operating and capital
15 costs. It has also been difficult for the City, by itself, to provide sufficient
16 funds to support the construction of major public improvements. In fiscal
17 year 2006-2007, the limited resources of the City's General Fund are
18 committed to previously incurred obligations and planned projects.

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

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

26
27 I hereby certify that the foregoing resolution was adopted by the City
28 Council of the City of Long Beach at its meeting of _____, 2007 by

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the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

HAM:fl
4/2/07
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EXHIBIT "A"

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The improvement of The Promenade right-of-way, including new paving, lighting, landscaping, public art, pedestrian seating, water features and similar improvements, and the renovation of the amphitheater at First Street and The Promenade.

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

13 WHEREAS, in furtherance of the Project and the immediate
14 neighborhood in which the Project is located, the Redevelopment Agency of the City of
15 Long Beach, California (the "Agency"), has recognized the need for certain public
16 improvements, which improvements will be located adjacent to the boundaries of the
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the following vote:

Ayes: Councilmembers:

Noes: Councilmembers:

Absent: Councilmembers:

City Clerk

HAM:fl
03/29/07; rev. 04/02/07
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