

RESOLUTION NO.

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:

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

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.

28 ////

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

1                   Sec. 5.       The City Clerk shall cause this resolution to be published  
2 one time in the legally designated newspaper at least ten (10) days prior to the date  
3 fixed for the public hearing.

4                   Sec. 6.       The City Clerk shall cause a copy of this resolution to be  
5 mailed to each person owning real property within the boundaries of the District  
6 according to the names and addresses of such owners as they appear on the last  
7 County Assessment Roll, or at the address as known to the City Clerk, said mailing to  
8 be completed at least fifteen (15) days before the date set for the public hearing.

9                   Sec. 7.       This resolution shall take effect immediately upon its  
10 adoption by the City Council, and the City Clerk shall certify the vote adopting this  
11 resolution.

12                   I hereby certify that the foregoing resolution was adopted by the City  
13 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by  
14 the following vote:

15                   Ayes:           Councilmembers: \_\_\_\_\_  
16                   \_\_\_\_\_

17                   \_\_\_\_\_

18                   Noes:           Councilmembers: \_\_\_\_\_

19                   \_\_\_\_\_

20                   Absent:         Councilmembers: \_\_\_\_\_

21                   \_\_\_\_\_

22                   \_\_\_\_\_

23                   \_\_\_\_\_

24                   City Clerk

25

26

27                   HAM:fi  
                  7/13/05; rev. 7/25/05  
                  L:\APPS\CtyLaw32\WPDOCS\1013\1004\00076780.WPD

28                   #05-02835

# 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

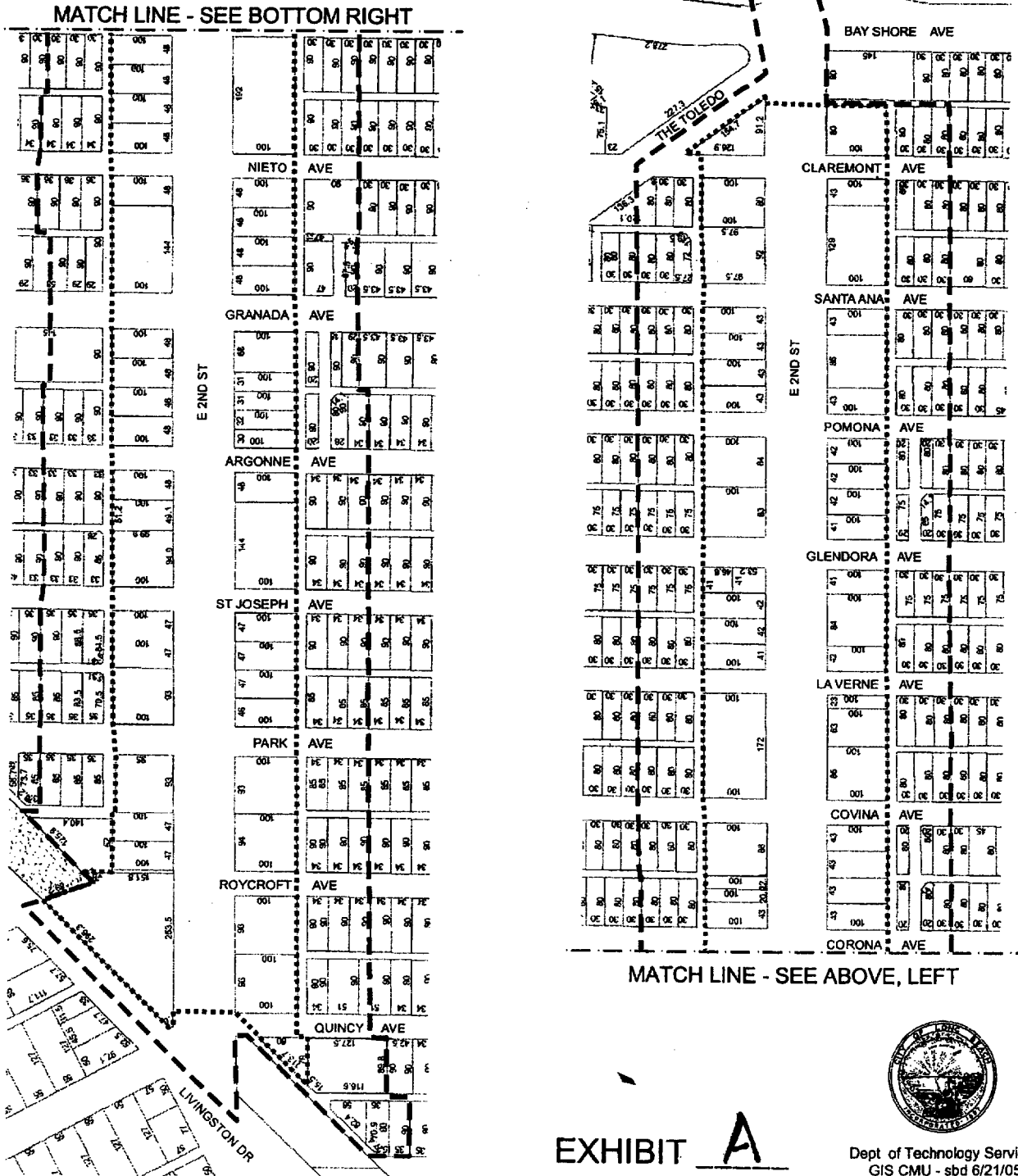


EXHIBIT A

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