



LONG BEACH REDEVELOPMENT AGENCY

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August 6, 2007

REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach
California

RECOMMENDATION:

Approve and authorize the Executive Director to enter into a contract with Keyser Marston Associates, in an amount not to exceed \$130,000 for consulting services to amend the Redevelopment Plan for the North Long Beach Redevelopment Project to extend the time limit for commencement of eminent domain proceedings. (North – Districts 6 and 9)

DISCUSSION

The Redevelopment Plan for the North Long Beach Redevelopment Project (North Redevelopment Plan) was adopted on July 16, 1996. As required by the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), the North Redevelopment Plan contains a number of limitations on the Long Beach Redevelopment Agency's authority within the Project Area. These limitations include a time limit on incurring indebtedness, a time limit on the effectiveness of the Redevelopment Plan, a time limit for the repayment of indebtedness, and a time limit on initiating eminent domain proceedings. The following table summarizes these limits.

Type of Time Limit	Date Time Limit Expires
Incurring Indebtedness	July 16, 2016
Effectiveness of Plan	July 16, 2027
Repayment of Indebtedness	July 16, 2042
Initiating Eminent Domain	July 16, 2008

The maximum time limit for initiating eminent domain proceedings, per the California Community Redevelopment Law (CRL), is 12 years. The North Redevelopment Plan's eminent domain time limit was established for the maximum time limit, and will expire on July 16, 2008. The Long Beach Redevelopment Agency (Agency) has used eminent domain in the North Long Beach Redevelopment Project Area as a last resort to acquire

property for a number of reasons, such as eliminating nuisance uses, assembling parcels to create adequate sites for private development, assembling parcels to create affordable housing, and assembling parcels to create open space.

The CRL allows a redevelopment agency to amend a redevelopment plan to extend the agency's authority to acquire property through eminent domain an additional 12 years under two conditions: (1) significant blight remains within the project area and (2) that blight cannot be eliminated without eminent domain. The CRL provides a procedure for a redevelopment agency to amend a redevelopment plan's eminent domain time limit, including documentation that the necessary conditions exist. The procedures and documentation include the following:

- Document existing physical and economic blighting conditions
- Describe why eminent domain is needed to eliminate blight
- Prepare environmental document
- Request Planning Commission to find the plan amendment conforms to the City's General Plan and to make a recommendation to the City Council
- Request a report and recommendation from the Project Area Committee (PAC)
- Consult with the affected taxing agencies
- Prepare the Report to City Council
- Hold a joint City Council and Agency public hearing

The process to amend a redevelopment plan's eminent domain time limit takes approximately six to ten months. Staff recommends that the Agency enter into an agreement for \$130,000 with Keyser Marston Associates (KMA) to provide consulting services related to amendment of the North Redevelopment Plan. KMA prepared the necessary documentation and guided the Agency through the redevelopment plan adoption process for the North Long Beach Redevelopment Project. As a result, KMA already possesses the background knowledge and familiarity with the Project Area that is needed for proposed plan amendment.

As part of its services, KMA will prepare a schedule, which identifies all of the necessary steps for the amendment process and ensures that they occur in the appropriate sequence. KMA will deliver a report that documents existing physical and economic blight (Exhibit A). KMA will also provide ongoing monitoring of the schedule and will attend up to three public meetings to gather needed public comment. It is of utmost importance that the existing blight be documented fully and in accordance with the CRL

definitions and that the correct procedures are followed in order to overcome any potential legal challenges to the proposed North Redevelopment Plan amendment. Staff is recommending KMA for these reasons.

The North PAC recommended the extension of the eminent domain time limit at its meeting on July 26, 2007.

SUGGESTED ACTION:

Adopt recommendation.

Respectfully submitted,

PATRICK H. WEST
EXECUTIVE DIRECTOR

PHW:CB:LAF:laf

APPROVED:



ANTHONY W. BATTS
CITY MANAGER

Attachment: Exhibit A – Report to City Council Contents

Exhibit A
REPORT TO CITY COUNCIL CONTENTS

- The reasons for amending the Redevelopment Plan;
- Analysis of significant remaining blight including a map showing the location of blighting conditions and portions of the Project Area that are no longer blighted;
- A description of why eminent domain is needed to eliminate remaining blight;
- The Five-Year Implementation Plan;
- The plan or method of relocation for families or persons temporarily or permanently displaced;
- The environmental document (by reference);
- The report and recommendations of the Planning Commission;
- The PAC's report and recommendations;
- The neighborhood impact report; and
- A summary of consultations with affected taxing entities.