

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-09-0085

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 (STATE COURTHOUSE PROJECT)

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 Central
11 Redevelopment Project (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 within the boundaries of the Project and adjacent
16 thereto; and 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 The construction of the public improvements will assist in the
3 development of a new courthouse in the Central Project Area, which will
4 eliminate blighting conditions now present on the proposed courthouse site.
5 This development will help create a safe, more cohesive and economically
6 dynamic neighborhood, increase the safety of residents, promote job
7 creation, promote business attraction and retention, and spur economic
8 revitalization in the Project Area.

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

12 Before the passage of Proposition 13, most of the City's general
13 operating and capital improvements were funded through property taxes.
14 However, the initiative placed severe constraints on the City's ability to use
15 property tax revenues to offset increases in operating and capital costs. It
16 has also been difficult for the City, by itself, to provide sufficient funds to
17 support the construction of major public improvements. In fiscal year 2009-
18 2010, the limited resources of the City's General Fund are committed to
19 previously incurred obligations and planned projects.

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

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

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of September 1, 2009, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.



City Clerk

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EXHIBIT "A"

Street improvements, sidewalk improvements, traffic signalization improvements, street lighting, subsurface improvements and relocation of existing utilities in the area bounded by Ocean Boulevard, Maine Avenue, 5th Street and Pacific Avenue.