

RESOLUTION NO. RES-09-0029

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH MAKING CERTAIN FINDINGS  
REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC  
IMPROVEMENTS WITH REDEVELOPMENT FUNDS  
(DOWNTOWN PUBLIC ART IMPROVEMENTS)

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

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

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

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

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

Section 1. The City Council determines that the construction of public improvements, more particularly described in Exhibit "A", are of benefit to the Project and the immediate neighborhood in which the Project is located. This finding is supported by

1 the following facts:

2           Development of public art facilities will assist the removal of blight in  
3           densely populated neighborhoods, while also helping to create a more  
4           positive and nurturing environment within neighborhoods. Further, such  
5           improvements will promote business attraction and retention.

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

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

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

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

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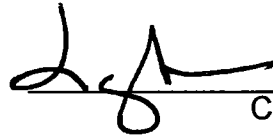
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of April 14, 2009, by the following vote:

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

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.



City Clerk

## **EXHIBIT A**

### **Downtown Public Art Improvements**

Public art may be located within the public right-of-way, parks, vacant lots, and vacant storefronts within the Downtown Redevelopment Project Area.