

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA, AND HULEAN TYLER AND DEBORAH BEHAR; FINDING THAT THE CONSIDERATION FOR THE SALE OF CERTAIN REAL PROPERTY IN THE CENTRAL LONG BEACH REDEVELOPMENT PROJECT AREA IS NOT LESS THAN FAIR MARKET VALUE IN ACCORDANCE WITH COVENANTS AND CONDITIONS GOVERNING SUCH SALE; AND APPROVING THE SALE OF THE PROPERTY AND THE DISPOSITION AND DEVELOPMENT AGREEMENT

WHEREAS, the Redevelopment Agency of the City of Long Beach, California (the "Agency"), is engaged in activities necessary to execute and implement the Redevelopment Plan for the Central Long Beach Redevelopment Project Area (the "Project"); and

WHEREAS, in order to implement the Redevelopment Plan, the Agency proposes to sell certain real property (the "Property") in the Project pursuant to the terms and provisions of the Disposition and Development Agreement and which Property is described in Exhibit "A" which is attached and incorporated by reference; and

WHEREAS, Hulean Tyler and Deborah Behar (the "Developer") has submitted to the Agency a written offer in the form of a Disposition and Development Agreement to purchase the Property for not less than fair market value for uses in

1 accordance with the Redevelopment Plan and the covenants and conditions of the  
2 Disposition and Development Agreement; and

3 WHEREAS, the proposed Disposition and Development Agreement  
4 contains all the provisions, terms and conditions and obligations required by Federal,  
5 State and local law; and

6 WHEREAS, Developer possesses the qualifications and financial resources  
7 necessary to acquire and insure development of the Property in accordance with the  
8 purposes and objectives of the Redevelopment Plan; and

9 WHEREAS, the Agency has prepared a summary setting forth the cost of  
10 the Disposition and Development Agreement to the Agency, the estimated value of the  
11 interest to be conveyed, determined at the highest uses permitted under the  
12 Redevelopment Plan and the purchase price and has made the summary available for  
13 public inspection in accordance with the California Redevelopment Law; and

14 WHEREAS, the Agency has determined that the development of the  
15 Property is categorically exempt under the California Environmental Quality Act; and

16 WHEREAS, pursuant to the provisions of the California Community  
17 Redevelopment Law, the City Council of the City of Long Beach held a public hearing on  
18 the proposed sale of the Property and the proposed Disposition and Development  
19 Agreement after publication of notice as required by law; and

20 WHEREAS, the City Council has duly considered all terms and conditions  
21 of the proposed sale and believes that the redevelopment of the Property pursuant to the  
22 proposed Disposition and Development Agreement is in the best interests of the City and  
23 the health, safety, morals and welfare of its residents and in accord with the public  
24 purposes and provisions of applicable Federal, State and local law;

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

27 Section 1. The City Council finds and determines that the consideration  
28 for sale of the Property pursuant to the Disposition and Development Agreement is not

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1 less than fair market value in accordance with covenants and conditions governing the  
2 sale, and the Council further finds and determines that the consideration for the sale of  
3 the Property, determined at the highest and best use under the Redevelopment Plan, is  
4 necessary to effectuate the purposes of the Redevelopment Plan for the Project.

5 Section 2. The sale of the Property by the Agency to Developer and the  
6 Disposition and Development Agreement which establish the terms and conditions for the  
7 sale and development of the Property are approved.

8 Section 3. The sale and development of the Property shall eliminate  
9 blight within the Project Area and is consistent with the implementation plan for the  
10 Project adopted pursuant to Health and Safety Code Section 33490.

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


13 I hereby certify that the foregoing resolution was adopted by the City  
14 Council of the City of Long Beach at its meeting of November 3, 2009 by the  
15 following vote:

16  
17 Ayes: Councilmembers: Garcia, Lowenthal, DeLong,  
18 O'Donnell, Schipske, Andrews,  
19 Reyes Uranga, Lerch.

20  
21 Noes: Councilmembers: None.

22  
23 Absent: Councilmembers: Gabelich.

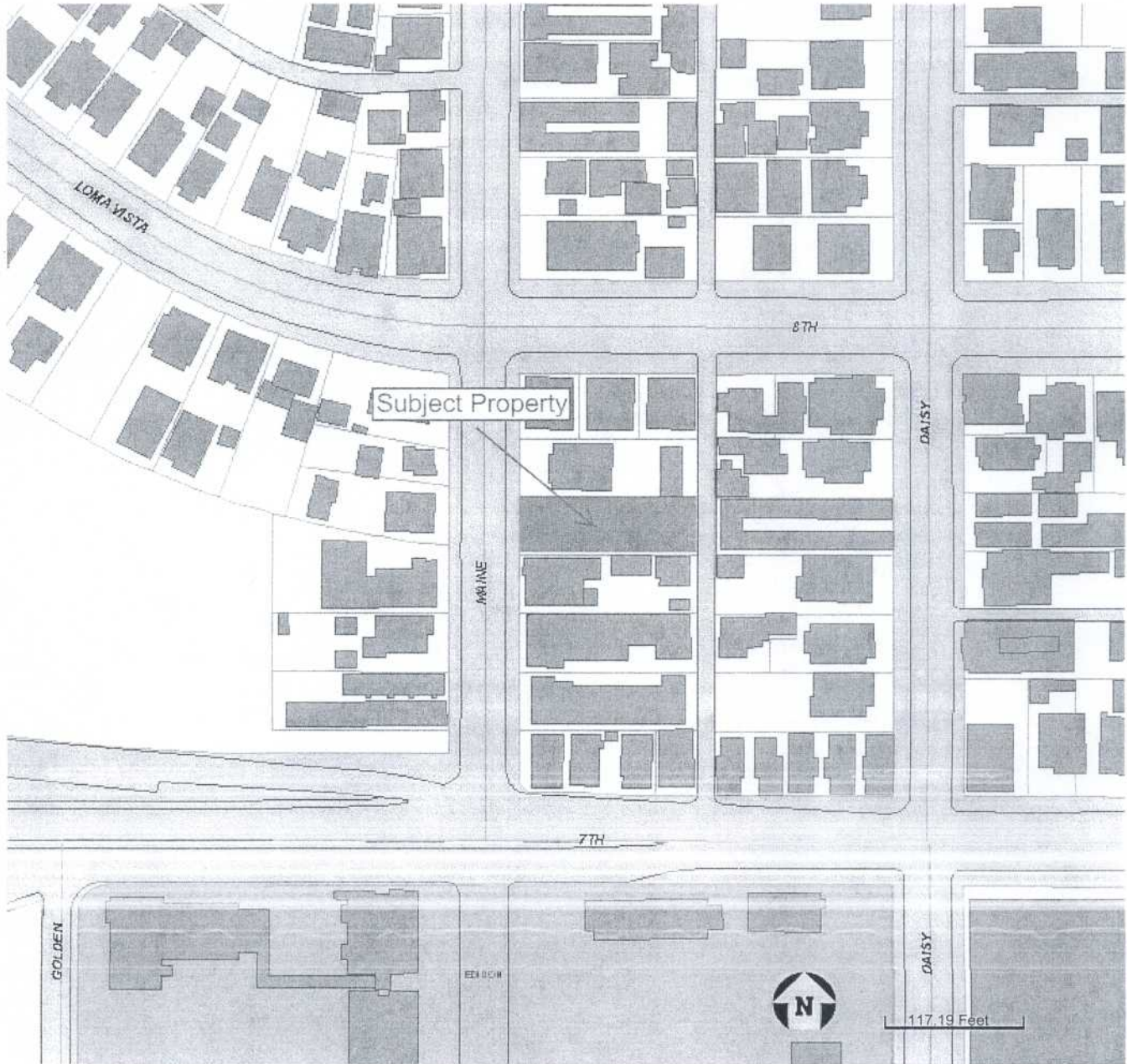
24  
25

26  
27   
28 \_\_\_\_\_  
City Clerk



city of longbeach CA

Exhibit A - 734 Maine Avenue



Disclaimer

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