

1 RESOLUTION NO. RES-09-0139

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 NORTH REDEVELOPMENT  
7 FUNDS (NORTH IMPROVEMENTS)  
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 North Long  
11 Beach Redevelopment Project Area (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 or adjacent to the boundaries of the Project,  
16 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 proposed improvements will facilitate the removal of blight by  
3           improving pedestrian and bicycle access to the Project Area, and promoting  
4           business development by enhancing landscaping, lighting and public art.

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

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

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

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

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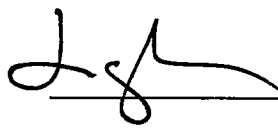
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of November 10, 2009 by the following vote:

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

Noes: Councilmembers: None.

Absent: Councilmembers: O'Donnell.

  
\_\_\_\_\_  
City Clerk

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

## EXHIBIT "A"

### DESCRIPTION OF THE PUBLIC IMPROVEMENTS

#### South Waterfront Bicycle Path

Construction of a Class I bicycle path segment, including mid-block crossings and wayfinding signs. The improvements commence at the north end of Queensway Bridge at the existing terminus of the Class I bicycle path. The improvements will follow Queensway Drive to the Special Events Park existing Class I bicycle path.

#### Orange Twist Landscaping Improvements

Improvement of medians on Atlantic Avenue between East 45<sup>th</sup> Street and Del Amo Boulevard, including landscaping, lighting and similar improvements.

#### Del Amo Railroad Embankment Improvement

Improvements to railroad embankment adjacent to Del Amo Boulevard and Atlantic Avenue including landscaping and similar improvements.