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1 RESOLUTION NO. RES-07-0059

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 (PROMENADE RIGHT-OF-WAY AND AMPHITHEATER
8 IMPROVEMENTS)

9
10 WHEREAS, the City Council of the City of Long Beach adopted and
11 approved a certain Redevelopment Plan (the "Redevelopment Plan") for the Downtown
12 Redevelopment Project (the "Project"); and

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

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

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

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

27 Section 1. The City Council determines that the construction of public
28 improvements, more particularly described in Exhibit "A", are of benefit to the Project

1 and the immediate neighborhood in which the Project is located. This finding is
2 supported by the following facts:

3 These improvements will assist in the removal of blight by providing
4 useable open space for downtown employees and residents, improving
5 pedestrian safety and flow through the downtown, and promoting
6 business attraction along The Promenade and nearby streets.

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

11 Before the passage of Proposition 13, most of the City's general
12 operating and capital improvements were funded through property taxes.
13 However, the initiative placed severe constraints on the City's ability to
14 use property tax revenues to offset increases in operating and capital
15 costs. It has also been difficult for the City, by itself, to provide sufficient
16 funds to support the construction of major public improvements. In fiscal
17 year 2006-2007, the limited resources of the City's General Fund are
18 committed to previously incurred obligations and planned projects.

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

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

26
27 I hereby certify that the foregoing resolution was adopted by the City
28 Council of the City of Long Beach at its meeting of May 8 , 2007 by

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1 the following vote:

2 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal,
3 O'Donnell, Schipske, Reyes Uranga,
4 Gabelich, Lerch.

5 _____
6 Noes: Councilmembers: None.

7 _____
8 Absent: Councilmembers: DeLong.

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12 _____
13 City Clerk

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EXHIBIT "A"

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The improvement of The Promenade right-of-way, including new paving, lighting, landscaping, public art, pedestrian seating, water features and similar improvements, and the renovation of the amphitheater at First Street and The Promenade.